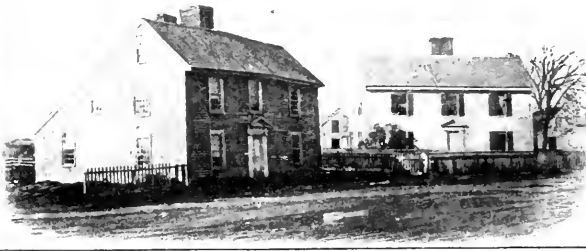


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A C T S

PASSED AT THE

SECOND SESSION

OF THE

C O N G R E S S

OF THE

U N I T E D S T A T E S

OF

A M E R I C A,

BEGUN AND HELD AT THE CITY OF NEW-YORK,
ON MONDAY THE FOURTH OF JANUARY,
IN THE YEAR M,DCC,XC:

AND OF THE
INDEPENDENCE OF THE UNITED STATES
THE FOURTEENTH.

TO WHICH ARE ADDED THE

T R E A T I E S

BETWIXT THE

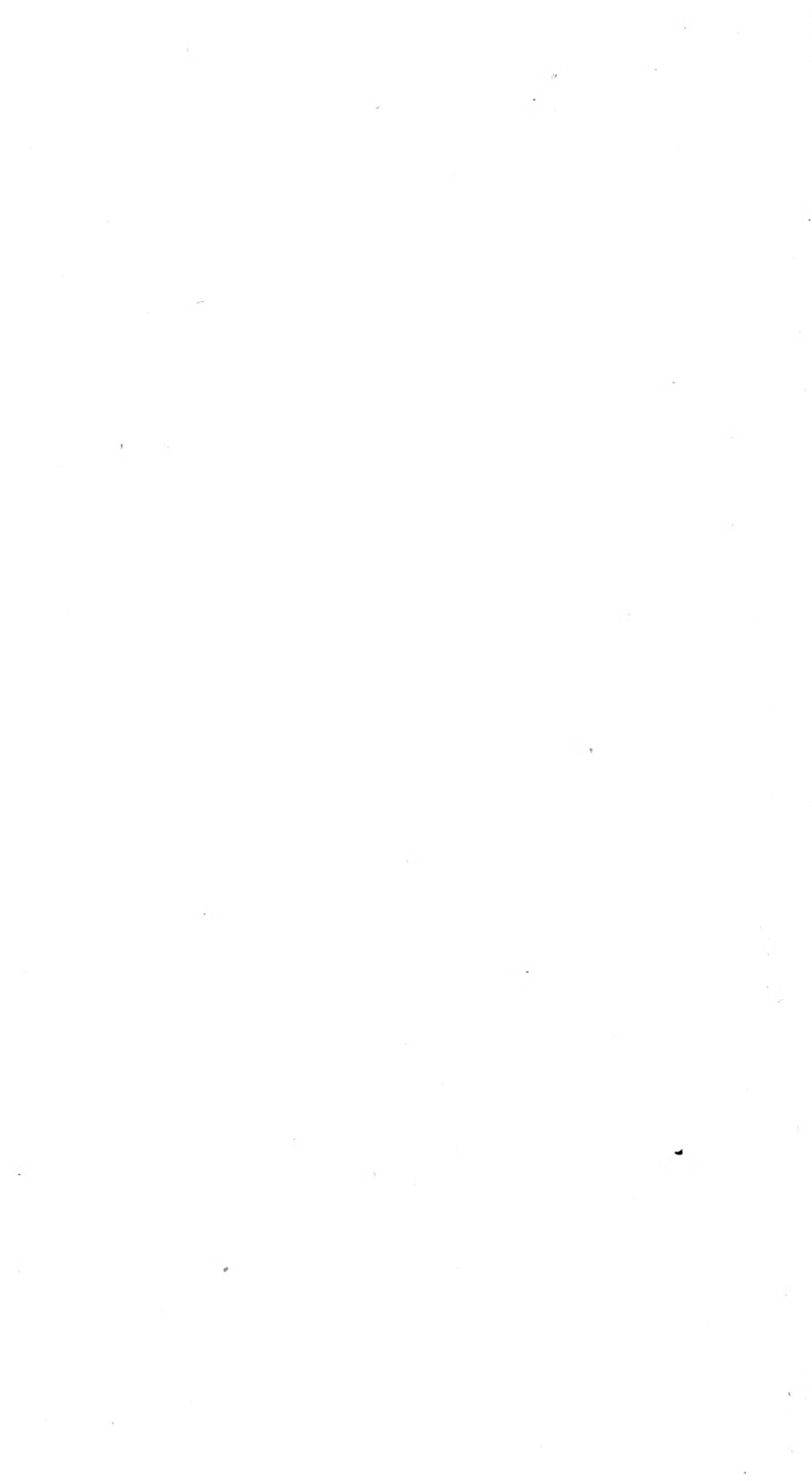
UNITED STATES AND FOREIGN NATIONS.

PHILADELPHIA :

PRINTED BY FRANCIS CHILDS AND JOHN SWAINE;

PRINTERS TO THE UNITED STATES.

M,DCC,XCI.



A C T S

O F

C O N G R E S S.



CHAPTER I.

In ACT for giving Effect to the several Acts therein mentioned, in respect to the State of NORTH-CAROLINA, and other Purposes.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several and respective duties specified and laid, in and by the act, intituled, "An act for laying a duty on goods, wares and merchandises imported into the United States;" and in and by the act, intituled, "An act imposing duties on tonnage," shall be paid and collected upon all goods, wares and merchandises, which, after the expiration of thirty days from the passing of this act, shall be imported into the state of North-Carolina, from any foreign port or place, and upon the tonnage of all ships and vessels, which, after the said day, shall be entered within the said state of North-Carolina, subject to the exceptions, qualifications, allowances and abatements in the said acts contained or expressed; which acts shall be deemed to have the like force and operation within the said state of North-Carolina, as elsewhere within the United States.

Duties on imports and tonnage declared in force as to the state of N. Carolina after 30 days from the passing this act.

And for due
collection
five districts
established ;
their limits.

Sec. 2. *And be it further enacted,* That for the due collection of the said duties, there shall be the said state of North-Carolina five districts ; one to be called the district of Wilmington, and to comprehend all the waters, shores, bays, harbours, creeks and inlets, from Little River inlet, inclusive, New River inlet, inclusive : Another to be called the district of Newbern, and to comprehend : the waters, shores, bays, harbours, creeks and inlets from New River inlet, exclusive, to Occacock inlet, inclusive, together with Pamticoe Sound, (except that part of it into which the Pamticoe, or Tar and Machapunga Rivers empty themselves, at which lies between the Royal Shoal extended Machapunga Bluff, and the shoal which projects from the mouth of Pamticoe River towards the Royal Shoal :) Another to be called the district of Washington, and to comprehend all that part of Pamticoe Sound excepted out of the district of Newbern, and the waters, shores, bays, harbours, creeks and inlets adjacent to, and communicating with the same : Another to be called the district of Edenton, and to comprehend all the waters, bays, harbours, creeks and inlets from the channel between Pamticoe Sound and Albemarle Sound, inclusive. The other to be called the district of Cambden, and to comprehend North River, Pasquotank and Little Rivers, and all the waters, shores, bays, harbours, creeks and inlets, from the junction of Currituck and Albermarle Sounds, to the northern extremity of Back Bay. That in the district of Wilmington the town of Wilmington shall be a port of entry and delivery, and Swansborough a port of delivery only ; and there shall be a collector, naval-officer and surveyor to reside at the said town of Wilmington and a surveyor to reside at Swansborough. That in the district of Newbern, the town of Newbern shall be a port of entry and delivery, and the town of Beaufort a port of delivery only ; and there shall be a collector to reside at Newbern, and a surveyor

Ports of entry
and delivery.

to reside at Beaufort. That in the district of Washington, the town of Washington shall be the sole port of entry and delivery, and there shall be a collector to reside at the same. That in the district of Edenton, the town of Edenton shall be a port of entry and delivery; and Hartford, Murpheyborough, Plymouth, Winsor, Skewarkey, Winton, and Bennet's Creek, ports of delivery; and there shall be a collector at the town of Edenton, and a surveyor at Hartford, another surveyor at Murpheyborough, and one surveyor at each of the ports of Plymouth, Winsor, Skewarkey, Winton, and Bennet's Creek. That all ships or vessels intending to proceed to Hartford, Plymouth, Winsor, Skewarkey, Winton, Bennet's Creek, or Murpheyborough, shall first come to and enter at the port of Edenton. That in the district of Cambden, Plankbridge on Sawyer's Creek, shall be the port of entry and delivery, and Nixinton, Indiantown, Newbiggin Creek, Currituck Inlet, and Pasquotank River-bridge, ports of delivery; and there shall be a collector at Plankbridge on Sawyer's Creek, and a surveyor at each of the ports of Nixinton, Indiantown, Currituck Inlet, Pasquotank River-bridge, and Newbiggin Creek: And that the authority of the officers of each district shall extend over all the waters, shores, bays, harbours, creeks and inlets comprehended within such district.

Ports of entry and delivery.

Sec. 3. *And be it further enacted*, That the ports of Wilmington, Newbern, Washington, and Edenton, shall be the sole ports of entry within the said State of North-Carolina, for ships or vessels not registered or licensed within the United States, according to law, and for all ships or vessels whatsoever, which shall arrive from the Cape of Good Hope, or any place beyond the same.

Sole ports of entry.

Sec. 4. *And be it further enacted*, That all the regulations, provisions, exceptions, allowances, compensations, directions, authorities, penalties, for-

Regulations, provisions, &c. for due collection.

feitures, and other matters whatsoever, contained or expressed in the act, intituled, "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares and merchandises imported into the United States, and not locally inapplicable, shall have the like force and effect within the said state of North-Carolina for the collection of the said duties, as elsewhere within the United States, and as if the same were repeated and re-enacted in this present act.

Operation of parts of former laws declared to cease.

Sec. 5. *Provided always, and be it declared,* That the thirty-ninth section of the said act, and the third section of an act, intituled, "An act to suspend part of an act, intituled, "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods wares and merchandises imported into the United States and for other purposes," did, by virtue of the adoption of the Constitution of the United States, in the said state of North-Carolina, cease to operate in respect to the same.

Act for regulating the coasting trade, declared in force as to N. Carolina after thirty days from the passing this act.

Sec. 6. *And be it further enacted and declare* That the act intituled, "An act for registering and clearing vessels, regulating the coasting trade, and for other purposes," shall, after the expiration of thirty days from the passing of this act, have the like force and operation within the said state of North-Carolina, as elsewhere within the United States, and as if the several clauses thereof were repeated and re-enacted in this present act.

Part of another act revived as to R. Island & N. Carolina until the 1st of April.

Sec. 7. *And be it further enacted,* That the second section of the act, intituled, "An act to suspend part of an act, intituled, "An act to regulate the collection of duties imposed by law on the tonnage of ships or vessels, and on goods, wares and merchandises imported into the United States, and for other purposes," passed the sixteenth day of September last, shall, with respect to the inhabitants and citizens of the state of Rhode-Island and Pro

idence Plantations, be revived, and also that the fourth section of the said act shall be revived, and both continue in force until the first day of April next, and no longer.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, February the eighth, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER II.

An ACT providing for the enumeration of the Inhabitants of the United States.

Section I. **B**E it enacted by the Senate and House of Representatives of the United States

America in Congress assembled, That the marshals of the several districts of the United States, shall be, and they are hereby authorized and required to cause the number of the inhabitants within their respective districts to be taken; omitting in such enumeration Indians not taxed, and distinguishing free persons, including those bound to service for term of years, from all others; distinguishing also for the sexes and colours of free persons, and the free males of sixteen years and upwards from those under that age; for effecting which purpose the marshals shall have power to appoint as many assistants within their respective districts as to them shall appear necessary; assigning to each assistant a certain division of his district, which division shall consist of one or more counties, cities, towns, townships, hundreds or parishes, or of a territory plainly and distinctly bounded by water courses, mountains, or public roads. The marshals and their assistants shall respectively take an oath or affirmation, before some judge or justice of the

Marshals in the several districts of the U. States to take the enumeration, and in what mode.

May appoint assistants.

Marshals & assistants to take an oath

peace, resident within their respective districts previous to their entering on the discharge of their duties by this act required. The oath or affirmation of the marshal shall be, "I A. B. marshal of the district of _____ do solemnly swear (or affirm) that I will well and truly cause to be made, a just and perfect enumeration and description of all persons resident within my district and return the same to the President of the United States, agreeably to the directions of an act of Congress, intitled, "An act providing for the enumeration of the inhabitants of the United States," according to the best of my ability." The oath or affirmation of an assistant shall be, "I A. B. assistant marshal of the district of _____ do solemnly swear (or affirm) that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me and make due return thereof to the said marshal, agreeably to the directions of an act of Congress, intitled, "An act providing for the enumeration of the inhabitants of the United States," according to the best of my ability." The enumeration shall commence on the first Monday in August next and shall close within nine calendar months thereafter: The several assistants shall, within the said nine months, transmit to the marshals by whom they shall be respectively appointed, accurate returns of all persons, except Indians not taxed within their respective divisions, which returns shall be made in a schedule, distinguishing the several families by the names of their master, mistress, steward, overseer, or other principal person therein, in manner following, that is to say:

Form of the oath.

The enumeration, when to commence and close.

Returns to be by schedule.

_____ do solemnly swear (or affirm) that I will well and truly cause to be made, a just and perfect enumeration and description of all persons resident within my district and return the same to the President of the United States, agreeably to the directions of an act of Congress, intitled, "An act providing for the enumeration of the inhabitants of the United States," according to the best of my ability." The oath or affirmation of an assistant shall be, "I A. B. assistant marshal of the district of _____ do solemnly swear (or affirm) that I will make a just and perfect enumeration and description of all persons resident within the division assigned to me and make due return thereof to the said marshal, agreeably to the directions of an act of Congress, intitled, "An act providing for the enumeration of the inhabitants of the United States," according to the best of my ability." The enumeration shall commence on the first Monday in August next and shall close within nine calendar months thereafter: The several assistants shall, within the said nine months, transmit to the marshals by whom they shall be respectively appointed, accurate returns of all persons, except Indians not taxed within their respective divisions, which returns shall be made in a schedule, distinguishing the several families by the names of their master, mistress, steward, overseer, or other principal person therein, in manner following, that is to say:

The number of persons within my division, consisting of _____ appears in a schedule hereunto annexed, subscribed by me this day of _____

SCHEDULE of the whole Number of Persons within the Division allotted to A. B. Form of the Schedule.

Names of heads of families.	Free white males of sixteen years & upwards, including heads of families.	Free white males under sixteen years.	Free white females, including heads of families.	All other free persons.	Slaves.
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Sec. 2. *And be it further enacted,* That every assistant failing to make return, or making a false return of the enumeration to the marshal, within the time by this act limited, shall forfeit the sum of two hundred dollars.

Assistant making false return, penalty on.

Sec. 3. *And be it further enacted,* That the marshals shall file the several returns aforesaid, with the clerks of their respective district courts, who are hereby directed to receive and carefully preserve the same: And the marshals respectively shall, on or before the first day of September, one thousand seven hundred and ninety-one, transmit to the President of the United States, the aggregate amount of each description of persons within their respective districts. And every marshal failing to file the returns of his assistants, or any of them, with the clerks of their respective district courts, or failing to return the aggregate amount of each description of persons in their respective districts, as the same shall appear from said returns, to the President of the United States, within the time limited by this act, shall, for every such offence, forfeit the sum of eight hundred dollars; all which forfeitures shall be recoverable in the courts of the districts where the offences shall be committed, or in the circuit courts to be held within the same, by action of debt, information or indictment; the one half thereof to the use of the United States, and the other half to the informer; but where the prosecution shall be first instituted on behalf of the Uni-

Marshals to file return with the clerks of the district courts, and transmit the aggregate amount thereof to the President, on or before the 1st of Sept. 1791;

failing so to do, penalty for.

How recoverable,

and discovered. ted States, the whole shall accrue to their use. And for the more effectual discovery of offences, the judges of the several district courts, at their next sessions to be held after the expiration of the time allowed for making the returns of the enumerations hereby directed, to the President of the United States, shall give this act in charge to the grand juries, in their respective courts, and shall cause the returns of the several assistants to be laid before them for their inspection.

Assistants,
rate of com-
pensation
to.

Sec. 4. *And be it further enacted,* That every assistant shall receive at the rate of one dollar for every one hundred and fifty persons by him returned, where such persons reside in the country and where such persons reside in a city, or town containing more than five thousand persons, such assistant shall receive at the rate of one dollar for every three hundred persons; but where, from the dispersed situation of the inhabitants in some divisions, one dollar for every one hundred and fifty persons shall be insufficient, the marshals, with the approbation of the judges of their respective districts, may make such further allowance to the assistants in such divisions as shall be deemed an adequate compensation, provided the same does not exceed one dollar for every fifty persons by them returned. The several marshals shall receive as follows: The marshal of the district of Maine, two hundred dollars; the marshal of the district of New-Hampshire, two hundred dollars; the marshal of the district of Massachusetts, three hundred dollars; the marshal of the district of Connecticut, two hundred dollars; the marshal of the district of New-York, three hundred dollars; the marshal of the district of New-Jersey, two hundred dollars; the marshal of the district of Pennsylvania, two hundred dollars; the marshal of the district of Delaware, one hundred dollars; the marshal of the district of Maryland, three hundred dollars;

Marshals,
their com-
pensation.

marshal of the district of Virginia, five hundred dollars; the marshal of the district of Kentucky, two hundred and fifty dollars; the marshal of the district of North-Carolina, three hundred and fifty dollars; the marshal of the district of South-Carolina, three hundred dollars; the marshal of the district of Georgia, two hundred and fifty dollars. And to obviate all doubts which may arise respecting the persons to be returned, and the manner of making returns,

Sec. 5. *Be it enacted*, That every person whose usual place of abode shall be in any family on the aforesaid first Monday in August next, shall be returned as of such family; and the name of every person, who shall be an inhabitant of any district, without a settled place of residence, shall be inserted in the column of the aforesaid schedule, which is allotted for the heads of families, in that division where he or she shall be on the said first Monday in August next, and every person occasionally absent at the time of the enumeration, as belonging to that place in which he usually resides in the United States.

Rules for ascertaining residence.

Sec. 6. *And be it further enacted*, That each and every person more than sixteen years of age, whether heads of families or not, belonging to any family within any division of a district made or established within the United States, shall be, and hereby is obliged to render to such assistant of the division, a true account if required, to the best of his or her knowledge, of all and every person belonging to such family respectively, according to the several descriptions aforesaid, on pain of forfeiting twenty dollars, to be sued for and recovered by such assistant, the one half for his own use, and the other half for the use of the United States.

What person of a family shall render an account of the numbers therein.

and penalty for refusing.

Copies of the schedule in each division to be set up at public places, and when.

Sec. 7. *And be it further enacted,* That each assistant shall, previous to making his return to the marshal, cause a correct copy, signed by himself, the schedule, containing the number of inhabitants within his division, to be set up at two of the most public places within the same, there to remain for the inspection of all concerned; for each of which copies the said assistant shall be entitled to receive two dollars, provided proof of a copy of the schedule having been so set up and suffered to remain shall be transmitted to the marshal, with the return of the number of persons; and in case any assistant shall fail to make such proof to the marshal, he shall forfeit the compensation by this act allowed him.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States*
and President of the Senate.

APPROVED, March the first, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER III.

An ACT to establish an uniform Rule of NATURALIZATION,

Section I. **B**E it enacted by the Senate and House of Representatives of the United States in Congress assembled, That any alien, being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen thereof, on application to a common law court of record, in any one of the States wherein he shall have resided for the term one year at least, and making proof to the satisfaction of such court, that he is a person of good character, and taking the oath or affirmation prescribed

Alien whites may become citizens, and how.

By law, to support the Constitution of the United States, which oath or affirmation such court shall administer; and the clerk of such court shall record such application, and the proceedings thereon; and thereupon such person shall be considered as a citizen of the United States. And the children of such persons so naturalized, dwelling within the United States, being under the age of twenty-one years at the time of such naturalization, shall also be considered as citizens of the United States. And the children of citizens of the United States, that may be born beyond sea, or out of the limits of the United States, shall be considered as natural born citizens: *Provided*, That the right of citizenship shall not descend to persons whose fathers have never been resident in the United States: *Provided* also, That no person heretofore proscribed by any State, shall be admitted a citizen as aforesaid, except by an act of the legislature of the State in which such person was proscribed.

Their children residing here, deemed citizens.
Also, children of citizens born beyond sea, &c.

Exceptions.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March twenty-sixth, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER IV.

An ACT making APPROPRIATIONS for the SUPPORT of GOVERNMENT, for the year one thousand seven hundred and ninety.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be appropriated for the service of the year one thousand seven hundred and ninety, to be paid out of the mo-

Appropriations of monies arising from duties, for the civil list ;

war department ;

Pensions to invalids.

nies arising from the duties on imports and tonnage, the following sums, to wit : A sum not exceeding one hundred and forty-one thousand, four hundred and ninety-two dollars, and seventy-three cents, for defraying the expences of the civil list, estimated by the Secretary of the Treasury, in the statement annexed to his report made to the House of Representatives on the ninth day of January last, including therein the contingencies of the several executive officers, which are hereby authorized and granted ; and also, a sum not exceeding one hundred and fifty-five thousand, five hundred and thirty-seven dollars, and seventy-two cents, for defraying the expences of the department of war, and the farther sum of ninety-six thousand, nine hundred and seventy-nine dollars, and seventy-two cents, for paying the pensions which may become due to the invalids, as estimated in the statement accompanying the aforesaid report.

Incidental expences of Congress.

Sec. 2. *And be it further enacted,* That all the expences arising from, and incident to the session of Congress, which may happen in the course of the aforesaid year, agreeably to laws heretofore passed, shall be defrayed out of the monies arising from the aforesaid duties on imports and tonnage.

Contingent charges of government ; for

Sec. 3. *And be it further enacted,* That the President of the United States be authorized to draw from the treasury a sum not exceeding ten thousand dollars, for the purpose of defraying the contingent charges of government, to be paid out of the monies arising as aforesaid from the duties on imports and tonnage ; and that he cause a regular statement and account of such expenditures to be laid before Congress at the end of the year.

certain specific demands ; and

Sec. 4. *And be it further enacted,* That a sum not exceeding one hundred and forty-seven thousand one hundred and sixty-nine dollars, and fifty-four cents, be appropriated out of the monies a

ing as aforesaid from the duties on imports and tonnage, for discharging the demands which exist against the United States, as specified by the Secretary of the Treasury in his report made to the House of Representatives on the first of March instant, including therein a provision for building a light-house on Cape-Henry in the state of Virginia, and for defraying the expences arising from the act, included, "An act for the establishment and support of light-houses, beacons, buoys, and public piers."

for building a light-house on Cape Henry; and

Sec. 5. *And be it further enacted,* That out of the aforesaid appropriation of one hundred and forty-seven thousand one hundred and sixty-nine dollars and fifty-four cents, the payment of the following sums, not heretofore provided for by law, and estimated in the aforesaid report of the Secretary of the Treasury of the first of March instant, hereby authorized and intended to be made, to wit: For the expences of the late office of foreign affairs, six hundred and fifty dollars: To Roger Mendenhall, for his services, including his office expences, and the allowance to his clerks, eight hundred and seventy-three dollars, and seventy cents: To the late commissioner for settling the accounts of the departments of the late quartermaster-general, and commissaries general of purchases and issues, for his own and clerk's services, from the eighth of May to the first of August, one thousand seven hundred and eighty-nine, one thousand and ten dollars, and fifty-five cents: To the late commissioner for settling the accounts of the late marine, hospital, and hospital departments, for his own and clerk's services, from the eighth of May to the third of August, one thousand seven hundred and eighty-nine, six hundred and twenty-eight dollars, and twenty-six cents: To the late commissioner for adjusting the accounts of the secret and commercial committees of Congress, for his salary from the first of July to the third of August, one thousand seven

out of which certain payments, not before provided for by law, are authorized.

hundred and eighty-nine, one hundred and seven
four dollars, and sixteen cents : For defraying the
extraordinary expences of the late President
Congress, three hundred and eighteen dollars, a
fifty-three cents : For paying salaries to the loan-
officers of the several states, from the thirtieth
day of June to the thirty-first day of December
one thousand seven hundred and eighty-nine, in-
cluding office-charges, six thousand seven hundred
and twenty-five dollars : For paying the interest
due on the loans made by the Secretary of the
Treasury, two thousand four hundred and fourteen
dollars, and sixty-one cents.

Sec. 6. *And be it further enacted,* That the sum
of one hundred and twenty dollars, be paid out of
the monies arising from the aforesaid duties on im-
ports and tonnage, to Jehoiakim M'Toksin, in full
compensation for his services as an interpreter and
guide in the expedition commanded by major
general Sullivan, in the year one thousand seven
hundred and seventy-nine ; and also the sum of
ninety-six dollars to James Mathers and Gifford
Dalley, each, for services during the late recess
Congress.

For Jehoiakim M'Toksin,

James Mathers, and G. Dalley.

President, if necessary, may authorize loans to make good these appropriations.

Sec. 7. *And be it further enacted,* That the President of the United States be authorized to empower the Secretary of the Treasury, if he shall deem it necessary, to make such loans as may be requisite to carry into effect the foregoing appropriations, for the re-payment of which the aforesaid duties on imports and tonnage shall be, and are hereby pledged.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States and President of the Senate.*

APPROVED, March twenty-sixth, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER V.

ACT to prevent the Exportation of GOODS not duly inspected according to the Laws of the several States.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States

America in Congress assembled, That the collectors and other officers of the customs in the several ports of the United States, be, and they are hereby directed to pay due regard to the inspection-laws of the states in which they may respectively act, in such manner, that no vessel having on board goods liable to inspection, shall be cleared out until the master or other proper person shall have produced such certificate, that all such goods have been duly inspected, as the laws of the respective states do may require to be produced to collectors or other officers of the customs.

Collectors, &c. not to grant clearances, until a certificate of inspection is produced.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, April the second, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER VI.

An ACT to accept a Cession of the Claims of the State of NORTH-CAROLINA, to a certain District of WESTERN TERRITORY.

Recital of the deed of cession, by the senators of N. Carolina, to the United States; and

A DEED of Cession having been executed and in the Senate offered for acceptance the United States, of the Claims of the State of North-Carolina, to a district of territory there described; which deed is in the words following viz.

To all who shall see these Presents.

We the underwritten SAMUEL JOHNSTON and BENJAMIN HAWKINS, Senators in the Congress of the United States of America, duly and constitutionally chosen by the Legislature of the State of North-Carolina, send greeting.

WHEREAS the General Assembly of the State of North-Carolina, on the _____ day of _____ month of _____ year, in the year of our Lord one thousand eight hundred and eighty-nine, passed an act, entitled, "An act for the purpose of ceding to the United States of America, certain western lands therein described," in the words following, to wit:

of the act of the legislature of that state, by which the execution of the said deed is authorized.

WHEREAS the United States in Congress assembled, have repeatedly and earnestly recommended to the respective states in the Union, claiming or owning vacant western territory, to make cession of part of the same, as a further means, as well as hastening the extinguishment of the debts, of establishing the harmony of the United States and the inhabitants of the said Western Territory being also desirous that such cession should be made in order to obtain a more ample protection than they have heretofore received: Now this State, being ever desirous of doing ample justice to the public creditors, as well as the establishing the harmony of the United States, and complying with the

reasonable desires of her citizens; *Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same,* that the Senators of this state, in the Congress of the United States, or one of the Senators and any two of the Representatives of this state in the Congress of the United States, are hereby authorized, empowered and required to execute a deed or deeds on the part and behalf of this state, conveying to the United States of America, all right, title and claim which this state has to the sovereignty and territory of the lands situated within the chartered limits of this state, west of a line beginning on the extreme height of the Stone Mountain, at the place where the Virginia line intersects it; running thence along the extreme height of the said mountain, to the place where Wataugo River breaks through it; thence a direct course to the top of the Yellow Mountain, where Bright's road crosses the same; thence along the ridge of said mountain, between the waters of Doe River and the waters of Rock Creek, to the place where the road crosses the Iron Mountain; from thence along the extreme height of said mountain, to where Northchucky River runs through the same; thence to the top of the Bald Mountain; thence along the extreme height of the said mountain, to the Painted Rock, on French Broad River; thence along the highest ridge of the said mountain, to the place where it is called the Great Iron or Smoaky Mountain; thence along the extreme height of the said mountain, to the place where it is called Unicoy; Unaka Mountain, between the Indian towns of Cowee and Old Chota; thence along the main ridge of the said mountain, to the southern boundary of this state, upon the following express conditions, and subject thereto—that is to say: *First*, That either the lands nor inhabitants westward of the said mountain shall be estimated after the cession

Boundaries
and conditions
of the
cession.

Boundaries
and condi-
tions of the
cession.

made by virtue of this act shall be accepted, in the ascertaining the proportion of this state with the United States, in the common expence occasioned by the late war. *Secondly*, That the lands laid off, or directed to be laid off by any act or acts of the General Assembly of this state, for the officers and soldiers thereof, their heirs and assigns respectively shall be and enure to the use and benefit of the said officers, their heirs and assigns respectively; and if the bounds of the said lands already prescribed for the officers and soldiers of the continental line of the state, shall not contain a sufficient quantity of lands for cultivation, to make good the several provisions intended by law, that such officer or soldier, or his assignee, who shall fall short of his allotment or proportion, after all the lands fit for cultivation within the said bounds are appropriated, be permitted to take his quota, or such part thereof as may be deficient, in any other part of the said territory intended to be ceded by virtue of this act, not already appropriated. And where entries have been made agreeable to law, and titles under them not perfected by grant or otherwise, then, and in that case the Governor for the time being, shall, and he is hereby required to perfect, from time to time, such titles, in such manner as if this act had never been passed. And that all entries made by, or grants made to all and every person or persons whatsoever agreeable to law, and within the limits hereby intended to be ceded to the United States, shall have the same force and effect as if such cession had not been made; and that all and every right of occupancy and pre-emption, and every other right reserved by any act or acts to persons settled on, and occupying lands within the limits of the lands hereby intended to be ceded as aforesaid, shall continue to be in full force, in the same manner as if the cession had not been made, and as conditions upon which the said lands are ceded to the United States. And further; it shall be understood, that if any perso

r persons shall have, by virtue of the act, entitled,
 "An act for opening the land-office for the redemption
 of specie and other certificates, and discharging
 the arrears due to the army," passed in the year
 one thousand seven hundred and eighty-three, made
 is or their entry in the office usually called John
 Armstrong's office, and located the same to any
 lot or piece of ground, on which any other per-
 son or persons shall have previously located any entry
 or entries, that then, and in that case, the person or
 persons having made such entry or entries, or their
 assignee or assignees, shall have leave, and be at full li-
 berty to remove the location of such entry or en-
 tries, to any lands on which no entry has been spe-
 cially located, or on any vacant lands included
 within the limits of the lands hereby intended to
 be ceded: *Provided*, That nothing herein contained
 shall extend or be construed to extend to the making
 good any entry or entries, or any grant or grants here-
 fore declared void, by any act or acts of the Gene-
 ral Assembly of this state. *Thirdly*, That all the lands
 intended to be ceded by virtue of this act to the Uni-
 ted States of America, and not appropriated as be-
 fore mentioned, shall be considered as a common
 fund for the use and benefit of the United States of
 America, North-Carolina inclusive, according to
 their respective and usual proportion in the general
 charge and expenditure, and shall be faithfully dis-
 posed of for that purpose, and for no other use or pur-
 pose whatever. *Fourthly*, That the territory so ceded,
 shall be laid out and formed into a state or states,
 containing a suitable extent of territory, the inha-
 bitants of which shall enjoy all the privileges, be-
 nefits and advantages set forth in the ordinance of
 the late Congress, for the government of the Wes-
 tern Territory of the United States, that is to say:
 Whenever the Congress of the United States shall
 cause to be officially transmitted to the executive
 authority of this state, an authenticated copy of
 the act to be passed by the Congress of the United

Boundaries
 and condi-
 tions of the
 cession.

Boundaries
and condi-
tions of the
cession.

States, accepting the cession of territory made by virtue of this act, under the express conditions hereby specified; the said Congress shall at the same time assume the government of the said ceded territory, which they shall execute in a manner similar to that which they support in the territory west of the Ohio; shall protect the inhabitants against enemies, and shall never bar or deprive them of any privileges which the people in the territory west of the Ohio enjoy: *Provided always*, That no regulations made or to be made by Congress, shall tend to emancipate slaves. *Fifthly*, That the inhabitants of the said ceded territory shall be liable to pay such sums of money, as may from taking their census, be their just proportion of the debt of the United States, and the arrears of the requisitions of Congress on this state. *Sixthly*, That all persons indebted to this state, residing in the territory intended to be ceded by virtue of this act, shall be held and deemed liable to pay such debt or debts in the same manner, and under the same penalty or penalties as if this act had never been passed. *Seventhly*, That if the Congress of the United States do not accept the cession hereby intended to be made, in due form, and give official notice thereof to the executive of this state, within eighteen months from the passing of this act, then this act shall be of no force or effect whatsoever. *Eighthly*, That the laws in force and use in the state of North-Carolina, at the time of passing this act shall be, and continue in full force within the territory hereby ceded, until the same shall be repealed or otherwise altered by the legislative authority of the said territory. *Ninthly*, That the lands of non-resident proprietors within the said ceded territory shall not be taxed higher than the lands of residents. *Tenthly*, That this act shall not prevent the people now residing south of French Broad between the rivers Tennessee and Big Pidgeon, from entering their pre-emptions in that tract, should a

office be opened for that purpose, under an act of the present General Assembly. *And be it further enacted by the authority aforesaid,* That the sovereignty and jurisdiction of this state, in and over the territory aforesaid, and all and every the inhabitants hereof, shall be and remain the same in all respects, until the Congress of the United States shall accept the cession to be made by virtue of this act, as if this act had never passed.

Boundaries and conditions of the cession.

Read three times, and ratified in General Assembly, the _____ day of December, A. D. 1789.

CHAS. JOHNSON, *Sp. Sen.*
S. CABARRUS, *Sp. H. C.*”

Now therefore know ye, That we, SAMUEL JOHNSTON and BENJAMIN HAWKINS, Senators aforesaid, by virtue of the power and authority committed to us by the said act, and in the name, and for and on behalf of the said state, do, by these presents convey, assign, transfer, and set over unto the United States of America, for the benefit of the said States, North-Carolina inclusive, all right, title, and claim which the said state hath to the sovereignty and territory of the lands situated within the chartered limits of the said state, as bounded and described in the above recited act of the General Assembly, to and for the uses and purposes, and on the conditions mentioned in the said act.

In witness whereof, we have hereunto subscribed our names, and affixed our seals, in the senate-chamber, at New-York, this twenty-fifth day of February, in the year of our Lord, one thousand seven hundred and ninety, and in the fourteenth year of the independence of the United States of America.

SAM: JOHNSTON. (L.S.)
BENJAMIN HAWKINS. (L.S.)

Signed, sealed, and delivered }
in the presence of }
SAM: A. OTIS. }

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said deed be, and the same is hereby accepted.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, April the second, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER VII.

An ACT to promote the Progress of useful ARTS.

Section I. **B**E it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the petition of any person or persons to the Secretary of State, the Secretary for the department of war, and the Attorney-General of the United States, setting forth, that he, she, or they, hath or have invented or discovered any useful art, manufacture, engine, machine, or device, or any improvement therein not before known or used, and praying that a patent may be granted therefor, it shall and may be lawful to and for the said Secretary of State, the Secretary for the department of war, and the Attorney-General, or any two of them, if they shall deem the invention or discovery sufficiently useful and important, to cause letters-patent to be made out in the name of the United States, to bear teste by the President of the United States, reciting the allegations and suggestions of the said petition, and describing the said invention or discovery, clearly, truly and fully, and thereupon granting to such petitioner or petitioners, his, her or their heirs, administrators or assigns for any term not exceeding

Patents for
useful disco-
veries, how
applied for,
& granted.

fourteen years, the sole and exclusive right and liberty of making, constructing, using and vending to others to be used, the said invention or discovery; which letters-patent shall be delivered to the Attorney-General of the United States to be examined, who shall within fifteen days next after the delivery to him, if he shall find the same conformable to this act, certify it to be so at the foot thereof, and present the letters-patent so certified to the President, who shall cause the seal of the United States to be thereto affixed, and the same shall be good and available to the grantee or grantees by force of this act, to all and every intent and purpose herein contained, and shall be recorded in a book to be kept for that purpose in the office of the Secretary of State, and delivered to the patentee or his agent, and the delivery thereof shall be entered on the record and endorsed on the patent by the said Secretary at the time of granting the same.

Patents to
be recorded.

Sec. 2. *And be it further enacted,* That the grantee or grantees of each patent shall, at the time of granting the same, deliver to the Secretary of State a specification in writing, containing a description, accompanied with drafts or models, and explanations and models (if the nature of the invention or discovery will admit of a model) of the thing or things, by him or them invented or discovered, and described as aforesaid, in the said patents; which specification shall be so particular, and said models so exact, as not only to distinguish the invention or discovery, from other things before known and used, but also to enable a workman or other person skilled in the art or manufacture, whereof it is a branch, or wherewith it may be nearest connected, to make, construct, or use the same, to the end that the public may have the full benefit thereof, after the expiration of the patent-term; which specification shall be filed in the office of the said Secretary, and certified copies thereof, shall be

Specifica-
tion in writ-
ting with a
draft or model
thereof
to be deli-
vered and

filed in the
office of the
Secretary of
State, and

in what cases to be evidence.

competent evidence in all courts and before all jurisdictions, where any matter or thing, touching or concerning such patent, right, or privilege, shall come in question.

Copies of specification &c. may be taken.

Sec. 3. *And be it further enacted,* That upon the application of any person to the Secretary of State for a copy of any such specification, and for permission to have similar model or models made, it shall be the duty of the Secretary to give such copy and to permit the person so applying for a similar model or models, to take, or make, or cause the same to be taken or made, at the expence of such applicant.

Penalty for making, &c. any art, &c. for which a patent has been granted.

Sec. 4. *And be it further enacted,* That if any person or persons shall devise, make, construct, use, employ, or vend within these United States, any art, manufacture, engine, machine or device, or any invention or improvement upon, or in any art, manufacture, engine, machine or device, the sole and exclusive right of which shall be so as aforesaid granted by patent to any person or persons, by virtue and in pursuance of this act, without the consent of the patentee or patentees, their executors, administrators or assigns, first had and obtained in writing, every person so offending shall forfeit and pay to the said patentee or patentees, his, her or their executors, administrators or assigns such damages as shall be assessed by a jury, and moreover shall forfeit to the person aggrieved, the thing or things so devised, made, constructed, used, employed or vended, contrary to the true intent of this act, which may be recovered in an action on the case founded on this act.

Sec. 5. *And be it further enacted,* That upon oath or affirmation made before the judge of the district court, where the defendant resides, that any patent which shall be issued in pursuance of this act, was obtained surreptitiously by, or upon false

suggestion, and motion made to the said court, Patents surreptitiously obtained,
 within one year after issuing the said patent, but
 not afterwards, it shall and may be lawful to and
 for the judge of the said district court, if the mat-
 ter alleged shall appear to him to be sufficient, to
 grant a rule that the patentee or patentees, his,
 her, or their executors, administrators or assigns,
 show cause why process should not issue against
 him, her, or them, to repeal such patents; and if how to be
 sufficient cause shall not be shewn to the contrary,
 the rule shall be made absolute, and thereupon the
 said judge shall order process to be issued as afore-
 said, against such patentee or patentees, his, her,
 or their executors, administrators, or assigns. And
 in case no sufficient cause shall be shewn to the con-
 trary, or if it shall appear that the patentee was not
 the first and true inventor or discoverer, judgment repealed.
 shall be rendered by such court for the repeal of
 such patent or patents; and if the party at whose
 complaint the process issued, shall have judgment
 given against him, he shall pay all such costs as the
 defendant shall be put to in defending the suit, to
 be taxed by the court, and recovered in such man-
 ner as costs expended by defendants, shall be re-
 covered in due course of law.

Sec. 6. *And be it further enacted,* That in all
 actions to be brought by such patentee or patentees,
 his, her, or their executors, administrators, or
 assigns, for any penalty incurred by virtue of this
 act, the said patents or specifications shall be *prima*
facie evidence, that the said patentee or patentees,
 was or were the first and true inventor or inven-
 tors, discoverer or discoverers of the thing so spe-
 cified, and that the same is truly specified; but that
 nevertheless the defendant or defendants may plead
 the general issue, and give this act, and any spe-
 cial matter whereof notice in writing shall have
 been given to the plaintiff, or his attorney, thirty

In actions for penalty, patents to be deemed prima facie evidence of the first discovery;

but special matter may be given in evidence;

and to what
effect.

days before the trial, in evidence, tending to prove that the specification filed by the plaintiff does not contain the whole of the truth concerning his invention or discovery; or that it contains more than is necessary to produce the effect described and if the concealment of part, or the addition of more than is necessary, shall appear to have been intended to mislead, or shall actually mislead the public, so as the effect described cannot be produced by the means specified, then, and in such cases, the verdict and judgment shall be for the defendant.

Patent fees.

Sec. 7. *And be it further enacted,* That such patentee as aforesaid, shall before he receives his patent, pay the following fees to the several offices employed in making out and perfecting the same to wit: For receiving and filing the petition, five cents; for filing specifications, per copy-sheet containing one hundred words, ten cents; for making out patent, two dollars; for affixing great seal one dollar; for indorsing the day of delivering the same to the patentee, including all intermediate services, twenty cents.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States*
and President of the Senate.

APPROVED, April the 10th, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER VIII.

An ACT further to suspend Part of an Act, intituled, An act to regulate the Collection of the Duties imposed by Law on the tonnage of Ships or Vessels, and on Goods, Wares and Merchandises imported into the United States," and to amend the said Act.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of an act, intituled, "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares and merchandises imported into the United States," as obliges ships or vessels bound up the river Potowmac, to come to, and deposit manifests of their cargoes with the officers at Saint Mary's and Yeocomico, before they proceed to their port of delivery, shall be and is hereby further suspended, from the first day of May next, to the first of May in the year one thousand seven hundred and ninety-one.

Restriction, by a former act, on vessels bound up the Potowmac, suspended until first May, 1791.

Sec. 2. *And be it further enacted by the authority aforesaid,* That the Landing Places in Windsor and East-Windsor, in the state of Connecticut, shall be ports of delivery, and be included in the district of New-London.

Additional ports of delivery in Connecticut.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, the fifteenth of April, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER IX.

An ACT for the PUNISHMENT of certain CRIMES against the United States.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States

Treason, what cases shall be judged, how provided & punished;

of America in Congress assembled, That if any person or persons, owing allegiance to the United States of America, shall levy war against them, or shall adhere to their enemies, giving them aid and comfort within the United States or elsewhere, and shall be thereof convicted, on confession in open court, or on the testimony of two witnesses to the same overt act of the treason whereof he or they shall stand indicted, such person or persons shall be adjudged guilty of treason against the United States, and shall suffer death.

also of imprisonment of treason.

Sec. 2 *And be it enacted,* That if any person or persons, having knowledge of the commission of any of the treasons aforesaid, shall conceal and not as soon as may be disclose and make known the same to the President of the United States, or some one of the judges thereof, or to the President or Governor of a particular State, or some one of the judges or justices thereof, such person or persons on conviction shall be adjudged guilty of misprison of treason, and shall be imprisoned not exceeding seven years, and fined not exceeding one thousand dollars.

Murder in a fort, arsenal, &c. punished with death;

Sec. 3. *And be it enacted,* That if any person or persons shall, within any fort, arsenal, dock-yard, magazine, or in any other place or district of country, under the sole and exclusive jurisdiction of the United States, commit the crime of wilful murder, such person or persons on being thereof convicted shall suffer death.

Sec. 4. *And be it also enacted,* That the court before whom any person shall be convicted of the

time of murder, for which he or she shall be sentenced to suffer death, may at their discretion, add to the judgment, that the body of such offender shall be delivered to a surgeon for dissection; and the marshal who is to cause such sentence to be executed, shall accordingly deliver the body of such offender, after execution done, to such surgeon as the court shall direct, for the purpose aforesaid: *Provided*, That such surgeon, or some other person to him appointed for the purpose, shall attend to receive and take away the dead body at the time of the execution of such offender.

and court may order offender's body to be dissected.

Sec. 5. *And be it further enacted*, That if any person or persons shall, after such execution had, force rescue or attempt to rescue the body of such offender out of the custody of the marshal or his officers, during the conveyance of such body to any place for dissection as aforesaid; or shall by force rescue or attempt to rescue such body from the house of any surgeon, where the same shall have been deposited in pursuance of this act; every person so offending, shall be liable to a fine not exceeding one hundred dollars, and an imprisonment not exceeding twelve months.

Rescue of a body ordered for dissection, punishment for.

Sec. 6 *And be it enacted*, That if any person or persons having knowledge of the actual commission of the crime of wilful murder or other felony, upon the high seas, or within any fort, arsenal, dockyard, magazine, or other place or district of country, under the sole and exclusive jurisdiction of the United States, shall conceal, and not as soon as may be disclose and make known the same to some one of the judges or other persons in civil or military authority under the United States, on conviction thereof, such person or persons shall be adjudged guilty of misprison of felony, and shall be imprisoned not exceeding three years, and fined not exceeding five hundred dollars.

Misprison of felony, what cases shall be judged, and how punished.

Man-slaughter in a fort, arsenal, &c. how punished.

Sec. 7. *And be it enacted*, That if any person or persons shall within any fort, arsenal, dock-yard, magazine, or other place or district of country under the sole and exclusive jurisdiction of the United States, commit the crime of man-slaughter and shall be thereof convicted, such person or persons shall be imprisoned not exceeding three years and fined not exceeding one thousand dollars.

Piracy and felony, what cases shall be judged, where tried and how punished.

Sec. 8. *And be it enacted*, That if any person or persons shall commit upon the high seas, or in any river, haven, basin or bay, out of the jurisdiction of any particular State, murder or robbery, or other offence which if committed within the bounds of a county, would by the laws of the United States be punishable with death; or if any captain or mariner of any ship or other vessel, shall piratically and feloniously run away with such ship or vessel or any goods or merchandize to the value of one thousand dollars, or yield up such ship or vessel voluntarily to any pirate; or if any seaman shall lay violent hands upon his commander, thereby to hinder or prevent his fighting in defence of his ship or goods committed to his trust, or shall make a revolt in the ship;—every such offender shall be deemed taken and adjudged to be a pirate and felon, being thereof convicted, shall suffer death: the trial of crimes committed on the high seas in any place out of the jurisdiction of any particular State, shall be in the district where the offender is apprehended, or into which he may first be brought.

Sec. 9. *And be it enacted*, That if any citizen shall commit any piracy or robbery aforesaid, or any act of hostility against the United States or any citizen thereof, upon the high sea, under the color of any commission from any foreign prince or state, or on pretence of authority from any person, such offender shall, notwithstanding the pretence

any such authority, be deemed, adjudged and taken to be a pirate, felon, and robber, and on being thereof convicted shall suffer death.

Sec. 10. *And be it enacted,* That every person who shall, either upon the land or the seas, knowingly and wittingly aid and assist, procure, command, counsel or advise any person or persons, to do or commit any murder or robbery, or other piracy aforesaid, upon the seas, which shall affect the life of such person, and such person or persons shall thereupon do or commit any such piracy or robbery, then all and every such person so as aforesaid aiding, assisting, procuring, commanding, counselling or advising the same, either upon the land or the sea, shall be, and they are hereby declared, deemed and adjudged to be accessory to such piracy as before the fact, and every such person being thereof convicted shall suffer death.

Accessories
therein,
how pu-
nished.

Sec. 11. *And be it enacted,* That after any murder, felony, robbery, or other piracy whatsoever aforesaid, is or shall be committed by any pirate or robber, every person who knowing that such pirate or robber has done or committed any such piracy or robbery, shall on the land or at sea receive, entertain or conceal any such pirate or robber, or receive or take into his custody any ship, vessel, goods or chattels, which have been by any such pirate or robber piratically and feloniously taken, shall be, and are hereby declared, deemed and adjudged to be accessory to such piracy or robbery, after the fact; and on conviction thereof, shall be imprisoned not exceeding three years, and fined not exceeding five hundred dollars.

Sec. 12. *And be it enacted,* That if any seaman or other person shall commit man-slaughter upon the high seas, or confederate, or attempt or endeavour to corrupt any commander, master, officer or mariner, to yield up or to run away with any ship or

Confederacy to be
come pi-
rates, how
punished.

vessel, or with any goods, wares, or merchandi-
 or to turn pirate, or to go over to or confeder
 with pirates, or in any wise trade with any pir
 knowing him to be such, or shall furnish such
 rate with any ammunition, stores or provisi
 of any kind, or shall fit out any vessel knowin
 and with a design to trade with or supply or c
 respond with any pirate or robber upon the se
 or if any person or persons shall any ways conf
 combine, confederate or correspond with any pi
 or robber on the seas, knowing him to be guilt
 any such piracy or robbery; or if any seaman sh
 confine the master of any ship or other vessel,
 endeavour to make a revolt in such ship;—such
 son or persons so offending, and being thereof c
 victed, shall be imprisoned not exceeding th
 years, and fined not exceeding one thou
 dollars.

Maiming,
 what cases
 shall be
 judged,
 and how
 punished.

Sec. 13. *And be it enacted*, That if any pe
 or persons, within any of the places upon the
 under the sole and exclusive jurisdiction of
 United States, or upon the high seas, in any v
 belonging to the United States, or to any citi
 or citizens thereof, on purpose and of malice af
 thought, shall unlawfully cut off the ear or e
 or cut out or disable the tongue, put out an
 slit the nose, cut off the nose or a lip, or cu
 or disable any limb or member of any person,
 intention in so doing to maim or disfigure
 person in any the manners before mentioned,
 and in every such case the person or person
 offending, their counsellors, aiders and abe
 (knowing of and privy to the offence afore
 shall on conviction, be imprisoned not excee
 seven years, and fined not exceeding one thou
 dollars.

Sec. 14. *And be it enacted*, That if any pe
 or persons shall falsely make, alter, forge or c

erfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or willingly act or assist in the false making, altering, forging or counterfeiting any certificate, indent, or other public security of the United States, or shall utter, put off, or offer, or cause to be uttered, put off, or offered in payment or for sale any such false, forged, altered or counterfeited certificate, indent or other public security, with intention to defraud any person, knowing the same to be false, altered, forged or counterfeited, and shall be thereof convicted, every such person shall suffer death.

Forgery,
what cases
shall be
judged, and
how pun-
ished.

Sect. 15. *And be it enacted*, That if any person shall feloniously steal, take away, alter, falsify, or otherwise avoid any record, writ, process, or other proceedings in any of the courts of the United States, by means whereof any judgment shall be reversed, made void, or not take effect, or if any person shall acknowledge or procure to be acknowledged in any of the courts aforesaid, any recognizance, bail or judgment, in the name or names of any other person or persons not privy or consenting to the same, every such person or persons on conviction thereof, shall be fined not exceeding five thousand dollars, or be imprisoned not exceeding seven years, and whipped not exceeding thirty-nine stripes. *Provided nevertheless*, That this act shall not extend to the acknowledgement of any judgment or judgments by any attorney or attorneys, duly admitted for any person or persons against whom any such judgment or judgments shall be had or given.

Stealing or
falsifying a-
ny record,
process, &c.
how pun-
ished.

Exceptions.

Sec. 16. *And be it enacted*, That if any person within any of the places under the sole and exclusive jurisdiction of the United States, or upon the high seas, shall take and carry away, with an intent to steal or purloin the personal goods of another; or if any person or persons, having at any time hereafter the

Larceny,
what cases
shall be
judged, and
how pun-
ished.

Larceny,
what cases
shall be
judged, and
how pu-
nished,

charge or custody of any arms, ordnance, munition shot, powder, or habiliments of war belonging to the United States, or of any victuals provided for the victualing of any soldiers, gunners, marines or pioneers, shall for any lucre or gain, or wittingly advisedly, and of purpose to hinder or impede the service of the United States, embezzle, purloin or convey away any of the said arms, ordnance, munition, shot or powder, habiliments of war, or victuals, that then and in every of the cases aforesaid the person or persons so offending, their counsellors, aiders and abettors (knowing of and privy to the offences aforesaid) shall, on conviction, be fined not exceeding the fourfold value of the property so stolen, embezzled or purloined; the one moiety to be paid to the owner of the goods, or the United States, as the case may be, and the other moiety to the informer and prosecutor, and be publickly whipped, not exceeding thirty-nine stripes.

Receivers
of stolen
goods, &c.
how pu-
nished.

Sec. 17. *And be it further enacted,* That if any person or persons, within any part of the jurisdiction of the United States as aforesaid, shall receive or buy any goods or chattels that shall be feloniously taken or stolen from any other person, knowing the same to be stolen, or shall receive, harbour or conceal any felons or thieves, knowing them to be so, he or they being of either of the said offences legally convicted, shall be liable to the like punishments as in the case of larceny before are prescribed.

Perjury,
how pu-
nished.

Sec. 18. *And be it enacted,* That if any person shall wilfully and corruptly commit perjury, or shall by any means procure any person to commit corrupt and wilful perjury, on his or her oath or affirmation in any suit, controversy, matter or cause depending in any of the courts of the United States, or in any deposition taken pursuant to the laws of the United States, every person so offending, and being thereof convicted, shall be imprisoned not exceed-

ing three years, and fined not exceeding eight hundred dollars; and shall stand in the pillory for one hour, and be thereafter rendered incapable of giving testimony in any of the courts of the United States, until such time as the judgment so given against the said offender shall be reversed.

Sec. 19. *And be it enacted*, That in every presentment or indictment to be prosecuted against any person for wilful and corrupt perjury, it shall be sufficient to set forth the substance of the offence charged upon the defendant, and by what court, before whom the oath or affirmation was taken, (verring such court, or person or persons to have competent authority to administer the same) together with the proper averment or averments to justify the matter or matters wherein the perjury or perjuries is or are assigned; without setting forth the bill, answer, information, indictment, declaration, or any part of any record or proceeding, whether in law or equity, other than as aforesaid, and without setting forth the commission or authority of the court, or person or persons before whom the perjury was committed.

In prosecutions for perjury, shall be sufficient to set forth substance of the charge;

Sec. 20. *And be it further enacted*, That in every presentment or indictment for subornation of perjury, or for corrupt bargaining or contracting with others to commit wilful and corrupt perjury, it shall be sufficient to set forth the substance of the offence charged upon the defendant, without setting forth the bill, answer, information, indictment, declaration, or any part of any record or proceeding, whether in law or equity, and without setting forth the commission or authority of the court, or person or persons before whom the perjury was committed, or was agreed or promised to be committed.

also, in prosecutions for subornation of perjury.

Sec. 21. *And be it enacted*, That if any person shall, directly or indirectly, give any sum or sums of money, or any other bribe, present or reward,

Bribery,
what cases
shall be
judged, and
how pu-
nished.

or any promise, contract, obligation or security, for the payment or delivery of any money, present or reward, or any other thing to obtain or procure the opinion, judgment or decree of any judge or judges of the United States, in any suit, controversy, matter or cause depending before him or them, and shall be thereof convicted, such person or persons so giving, promising, contracting or securing to be given, paid or delivered, any sum or sums of money, present, reward or other bribe as aforesaid, and the judge or judges who shall in any wise accept or receive the same, on conviction thereof shall be fined and imprisoned at the discretion of the court; and shall forever be disqualified to hold any office of honor, trust or profit under the United States.

Persons ob-
structing
the execu-
tion of pro-
cess, how
punished.

Sec. 22. *And be it enacted,* That if any person or persons shall knowingly and wilfully obstruct, resist or oppose any officer of the United States in serving or attempting to serve or execute any mesne process, or warrant, or any rule or order of any of the courts of the United States, or any other legal or judicial writ or process whatsoever, or shall assault, beat or wound any officer, or other person duly authorized, in serving or executing any writ, rule, order, process or warrant aforesaid, every person so knowingly and wilfully offending in the premises, shall, on conviction thereof, be imprisoned not exceeding twelve months, and fined not exceeding three hundred dollars.

Rescue of
persons con-
victed, or
before con-
viction,
how pu-
nished.

Sec. 23. *And be it further enacted,* That if any person or persons, shall by force set at liberty, or rescue any person who shall be found guilty of treason, murder, or any other capital crime, or rescue any person convicted of any of the said crimes, going to execution, or during execution, every person so offending, and being thereof convicted, shall suffer death: And if any person shall by force se

liberty, or rescue any person who before conviction shall stand committed for any of the capital offences aforesaid; or if any person or persons shall by force set at liberty, or rescue any person committed for or convicted of any other offence against the United States, every person so offending, shall, on conviction, be fined not exceeding five hundred dollars, and imprisoned not exceeding one year.

Sec. 24. *Provided always, and be it enacted,* That no conviction or judgment for any of the offences aforesaid, shall work corruption of blood, or any forfeiture of estate.

No conviction to work corruption of blood, or forfeiture of estate.

Sec. 25. *And be it enacted,* That if any writ or process shall at any time hereafter be sued forth or prosecuted by any person or persons, in any of the courts of the United States, or in any of the courts of a particular state, or by any judge or justice therein respectively, whereby the person of any ambassador or other public minister of any foreign prince or state, authorized and received as such by the President of the United States, or any domestic or domestic servant of any such ambassador or other public minister, may be arrested or imprisoned, or his or their goods or chattels be distrained, seized or attached, such writ or process shall be deemed and adjudged to be utterly null and void in all intents, construction and purposes whatsoever.

Process sued in any court of the U. States, or of a particular state, against a foreign minister, void; and

Sec. 26. *And be it enacted,* That in case any person or person shall sue forth or prosecute any such writ or process, such person or persons, and all attorneys or solicitors prosecuting or soliciting in such case, and all officers executing any such writ or process, being thereof convicted, shall be deemed violators of the laws of nations, and disturbers of the public repose, and imprisoned not exceeding three years, and fined at the discretion of the court.

persons suing the same, how punished:

Certain
cases ex-
cepted.

Sec. 27. *Provided nevertheless*, That no citizen or inhabitant of the United States, who shall have contracted debts prior to his entering into the service of any ambassador or other public minister which debts shall be still due and unpaid, shall have, take or receive any benefit of this act; nor shall any person be proceeded against by virtue of this act, for having arrested or sued any other domestic servant of any ambassador or other public minister, unless the name of such servant be first registered in the office of the Secretary of State, and by such Secretary transmitted to the marshal of the district in which Congress shall reside, who shall upon receipt thereof affix the same in some public place in his office, whereto all persons may resort and take copies without fee or reward.

Violation of
a safe con-
duct, or to
the person
of public
minister,
how pun-
ished.

Sec. 28. *And be it enacted*, That if any person shall violate any safe-conduct or passport duty obtained and issued under the authority of the United States, or shall assault, strike, wound, imprison or in any other manner infract the law of nations by offering violence to the person of an ambassador or other public minister, such person so offending on conviction, shall be imprisoned not exceeding three years, and fined at the discretion of the court.

In cases of
treason, pri-
soner shall
have copy
of indict-
ment, list of
the jury &
witnesses,
&c.
In other ca-
pital cases,
copy of in-
dictment &
list of the
jury: also
be allowed
counsel,

Sec. 29. *And be it enacted*, That any person who shall be accused and indicted of treason, shall have a copy of the indictment, and a list of the jury and witnesses, to be produced on the trial for proving the said indictment, mentioning the names and places of abode of such witnesses and jurors, delivered unto him at least three entire days before he shall be tried for the same; and in other capital offences, shall have such copy of the indictment and list of the jury two entire days at least before the trial: And that every person so accused and indicted for any of the crimes aforesaid, shall also be allowed and admitted to make his full defence by

counsel learned in the law ; and the court before whom such person shall be tried, or some judge hereof, shall, and they are hereby authorized and required immediately upon his request to assign to such person such counsel, not exceeding two, as such person shall desire, to whom such counsel shall have free access at all seasonable hours ; and every such person or persons accused or indicted of the crimes aforesaid, shall be allowed and admitted in his said defence to make any proof that he or they can produce, by lawful witness or witnesses, and shall have the like process of the court where he or they shall be tried, to compel his or their witnesses to appear at his or their trial, as is usually granted to compel witnesses to appear on the prosecution against them.

and process to compel the attendance of witnesses.

Sec. 30. *And be it further enacted,* That if any person or persons be indicted of treason against the United States, and shall stand mute or refuse to plead, or shall challenge peremptorily above the number of thirty-five of the jury ; or if any person or persons be indicted of any other of the offences therein before set forth, for which the punishment is declared to be death, if he or they shall stand mute or will not answer to the indictment, or shall challenge peremptorily above the number of twenty persons of the jury ; the court in any of the cases aforesaid, shall notwithstanding proceed to the trial of the person or persons so standing mute or challenging, as if he or they had pleaded not guilty, and render judgment thereon accordingly.

In cases of treason or other capital offence, prisoner standing mute,

Sec. 31. *And be it further enacted,* That the benefit of clergy shall not be used or allowed, upon the conviction of any crime, for which, by any statute of the United States, the punishment is or shall be declared to be death.

how to be proceeded against.

No benefit of clergy in cases where the punishment is death.

Sec. 32. *And be it further enacted,* That no person or persons shall be prosecuted, tried or punished

No prosecution or punishment for treason or other capital offence unless indictment be found within 3 years, nor in other cases unless within 2 years ;

except the offender flee.

Punishment of death to be by hanging.

for treason or other capital offence aforesaid, will murder or forgery excepted, unless the indictment for the same shall be found by a grand jury within three years next after the treason or capital offence aforesaid shall be done or committed; nor shall any person be prosecuted, tried or punished for any offence not capital, nor for any fine or forfeiture under any penal statute, unless the indictment or information for the same shall be found instituted within two years from the time of committing the offence, or incurring the fine or forfeiture aforesaid: *Provided*, That nothing here contained shall extend to any person or persons fleeing from justice.

Sec. 33. *And be it further enacted*, That the manner of inflicting the punishment of death, shall be by hanging the person convicted by the neck and dead.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives

JOHN ADAMS, *Vice-President of the United States*

and President of the Senate.

APPROVED, April the 30th, 1790.

GEORGE WASHINGTON

President of the United States

CHAPTER X.

An ACT for regulating the Military Establishment of the United States.

Section 1. **B**E it enacted by the Senate and Representatives of the United States of America in Congress assembled, That the commissioned officers herein after mentioned, and a number of one thousand two hundred and fifty non-commissioned officers, privates and musketeers shall be raised for the service of the United States

Number of troops, and term of service.

the period of three years, unless they should previously by law be discharged.

Sec. 2. *And be it further enacted*, That the non-commissioned officers and privates aforesaid, shall, of what size and age; the time of their enlistments, respectively, be embodied men, not under five feet six inches height, without shoes; nor under the age of sixteen, nor above the age of forty-six years.

Sec. 3. *And be it further enacted*, That the commissioned officers herein after mentioned, and the non-commissioned officers, privates and musicians, shall be formed into one regiment of infantry, how formed into regiment and battalions. to consist of three battalions, and one battalion of artillery. The regiment of infantry to be composed of one lieutenant-colonel commandant, three majors, three adjutants, three quartermasters, one surgeon, one surgeon's mate, and five companies, each of which shall consist of one captain, one lieutenant, one ensign, four serjeants, four corporals, sixty-six privates, and two musicians. The battalion of artillery shall be composed of one major commandant, one adjutant, one quartermaster, one paymaster, one surgeon's mate, and four companies; each of which shall consist of one captain, two lieutenants, four serjeants, four corporals, sixty-six privates, and two musicians: *Provided always*, That the adjutants, quartermasters, and paymasters, shall be appointed in the line of subalterns of the aforesaid corps respectively.

Sec. 4. *And be it further enacted*, That the President of the United States may from time to time Inspector; appoint one or two inspectors, as to him shall seem fit, to inspect the said troops, who shall also perform the same, and each of whom shall receive their duty, &c. like pay and subsistence as a captain, and be allowed ten dollars per month for forage.

Pay of the
troops;

Sec. 5. *And be it further enacted,* That the troops aforesaid shall receive for their services the following enumerated monthly rates of pay; lieutenant-colonel commandant, sixty dollars; major commandant of artillery, forty-five dollars; major forty dollars; captains, thirty dollars; lieutenant twenty-two dollars; ensigns, eighteen dollars; surgeons, thirty dollars; surgeon's mates, twenty-five dollars; serjeants, five dollars; corporals, four dollars; privates, three dollars; senior musician each battalion of infantry, and in the battalion of artillery, five dollars; musicians, three dollars.

deductions
for clothing
and hospital
stores.

Provided always, That the sums herein after specified, shall be deducted from the pay of the non-commissioned officers, privates and musicians computed as aforesaid, for the purposes of forming a fund for clothing and hospital stores: From the monthly pay of each serjeant and senior musician there shall be deducted for uniform clothing, the sum of one dollar and forty cents, and the farther sum of ten cents for hospital stores; and from the monthly pay of each corporal, for uniform clothing one dollar and fifteen cents, and the farther sum of ten cents for hospital stores; and from the monthly pay of each private and musician, for uniform clothing, the sum of ninety cents, and the farther sum of ten cents for hospital stores.

Adjutant's,
quarter and
paymaster's
additional
pay.

Sec. 6. *And be it further enacted,* That the sutlers who may be appointed to act as adjutants, shall each receive for the same, in addition to their gimental pay, ten dollars per month; and quartermasters and paymasters so appointed, each five dollars per month.

Officers,
what rations
allowed to
for daily
subsistence.

Sec. 7. *And be it further enacted,* That the commissioned officers aforesaid, shall receive for their daily subsistence, the following number of rations of provisions—to wit: Lieutenant-colonel commandant, six; a major, four; a captain, three;

a lieutenant, two; an ensign, two; a surgeon, three; a surgeon's mate, two, or money in lieu thereof, at the option of the said officers, at the contract price at the posts respectively where the rations shall become due.

Sec. 8. *And be it further enacted*, That the commissioned officers herein after described, shall receive monthly the following enumerated sums, instead of forage: Lieutenant-colonels commandant, twelve dollars; major commandant of artillery, majors and surgeon each, ten dollars; surgeon's mates each, six dollars.

Also, money in lieu of forage.

Sec. 9. *And be it further enacted*, That every non-commissioned officer, private and musician aforesaid, shall receive annually the following articles of uniform clothing: One hat or helmet, one coat, one vest, two pair of woollen and two pair of linen overalls, four pair of shoes, four shirts, two pair of socks, one blanket, one stock and clasp, and one pair of buckles.

Privates, what clothing shall receive annually;

Sec. 10. *And be it further enacted*, That every non-commissioned officer, private and musician aforesaid, shall receive daily the following rations of provisions, or the value thereof: One pound of beef, or three quarters of a pound of pork, one pound of bread or flour, half a gill of rum, brandy or whiskey, or the value thereof at the contract price where the same shall become due, and at the rate of one quart of salt, two quarts of vinegar, two pounds of soap, and one pound of candles, to every hundred rations.

and daily rations to:

Sec. 11. *And be it further enacted*, That if any commissioned officer, non-commissioned officer, private or musician aforesaid, shall be wounded or disabled while in the line of his duty in public service, he shall be placed on the list of the invalids of the United States, at such rate of pay, and under such regulations as shall be directed by the Presi-

If wounded or disabled, what compensation on to.

dent of the United States, for the time being : *Provided always*, That the rate of compensation for such wounds or disabilities, shall never exceed for the highest disability, half the monthly pay received by any commissioned officer, at the time of being so wounded or disabled ; and that the rate of compensation to non-commissioned officers, privates and musicians, shall never exceed five dollars per month. *And provided also*, That all inferior disabilities shall entitle the persons so disabled, to receive only a sum in proportion to the highest disability.

Officers and privates to take an oath of allegiance to the United States ; and

Sec. 12. *And be it further enacted*, That every commissioned officer, non-commissioned officer, private and musician aforesaid, shall take and subscribe the following oath or affirmation—to wit : “ I, A. B. do solemnly swear or affirm (as the case may be) to bear true allegiance to the United States of America, and to serve them honestly and faithfully against all their enemies or opponents whomsoever, and to observe and obey the orders of the President of the United States of America, and the orders of the officers appointed over me according to the articles of war.”

be governed by the articles of war.

Sec. 13. *And be it further enacted*, That the commissioned officers, non-commissioned officers, privates and musicians aforesaid, shall be governed by the rules and articles of war, which have been established by the United States in Congress assembled, as far as the same may be applicable to the Constitution of the United States, or by such rules and articles as may hereafter by law be established.

former establishment of troops repealed.

Sec. 14. *And be it further enacted*, That the “ Act for recognizing and adapting to the Constitution of the United States, the establishment of the troops raised under the resolves of the United States Congress assembled, and for other purposes therein mentioned,” passed the twenty-ninth day of Se

number, one thousand seven hundred and eighty-nine, be, and the same is hereby repealed.

Sec. 15. *Provided always*, That the non-commissioned officers and privates continued and engaged under the aforesaid act of the twenty-ninth day of September, one thousand seven hundred and eighty-nine, and who shall decline to re-enlist under the establishment made by this act, shall be discharged whenever the President of the United States shall direct the same. *Provided further*, That the whole number of non-commissioned officers, privates and musicians, in the service of the United States at any one time, either by virtue of this act, or by virtue of the aforesaid act, passed the twenty-ninth day of September, one thousand seven hundred and eighty-nine, shall not exceed the number one thousand two hundred and sixteen.

Certain exceptions; and

Sec. 16. *And be it further enacted*, That for the purpose of aiding the troops now in service, or to be raised by this act, in protecting the inhabitants of the frontiers of the United States, the President be hereby authorized to call into service from time to time such part of the militia of the States respectively, as he may judge necessary for the purpose aforesaid; and that their pay and subsistence while in service, be the same as the pay and subsistence of the troops above-mentioned, and they shall be subject to the rules and articles of war.

for further defence, President may call out militia.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, April 30th, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XI.

An ACT to prescribe the Mode in which the public Acts, Records, and judicial Proceedings, in each State, shall be authenticated so as to take Effect every other State.

Legislative acts, records and judicial proceedings of the several states, how to be authenticated; and

the effect thereof.

BE it enacted by the Senate and House of Representatives of the United States of America Congress assembled, That the acts of the legislatures of the several States shall be authenticated by having the seal of their respective States affixed thereto: That the records and judicial proceedings of the courts of any State, shall be proved or admitted in any other court within the United States, by the attestation of the clerk, and the seal of the court annexed, if there be a seal, together with a certificate of the judge, chief justice, or presiding magistrate, as the case may be, that the said attestation is in due form. And the said records and judicial proceedings authenticated as aforesaid shall have such faith and credit given to them in every court within the United States, as they have by law or usage in the courts of the State from whence the said records are, or shall be taken.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States and President of the Senate.*

APPROVED, May twenty-sixth, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER XII.

An ACT to provide for mitigating or remitting the Forfeitures and Penalties accruing under the Revenue Laws, in certain Cases therein mentioned.

Section 1. BE it enacted by the Senate and House of Representatives of the United States

*America in Congress assembled, That whenever any person who now is, or hereafter shall be liable to fine, penalty or forfeiture, or interested in any vessel, goods, wares or merchandize, or other thing which may be subject to seizure and forfeiture, by force of the laws of the United States now existing, which may hereafter exist, for collecting duties of impost and tonnage, and for regulating the coasting trade, shall prefer his petition to the judge of the district in which such fine, penalty or forfeiture may have accrued, truly and particularly setting forth the circumstances of his case, and shall pray that the same may be mitigated or remitted; the said judge shall enquire in a summary manner into the circumstances of the case, first causing reasonable notice to be given to the person or persons claiming such fine, penalty or forfeiture, and to the attorney of the United States for such district, that each may have an opportunity of shewing cause against the mitigation or remission thereof; and shall cause the facts which shall appear upon such enquiry, to be stated and annexed to the petition, and direct their transmission to the Secretary of the Treasury of the United States, who shall hereupon have power to mitigate or remit such fine, penalty or forfeiture, or any part thereof, if in his opinion the same was incurred without wilful negligence or any intention of fraud, and to direct the prosecution, if any shall have been instituted for the recovery thereof, to cease and be discontinued, upon such terms or conditions as he may deem reasonable and just. *Provided, That nothing herein contained shall be construed to affect**

Mitigation
or remission
of penalties,
&c. how to
be applied
for; and

by whom
granted:

Not to af-
fect cafes of
previous in-
formation.

the right or claim of any perſon, to that part of any fine, penalty or forfeiture, incurred by breach of either of the laws aforeſaid, which ſuch perſon may be entitled to by virtue of the ſaid laws, in caſes where a proſecution has been commenced, or information has been given before the paſſing of this act; the amount of which right and claim ſhall be aſſeſſed and valued by the judge of the diſtrict, in a ſummary manner.

Continu-
ance of the
act.

Sec. 2. *And be it further enacted*, That this act ſhall continue and be in force until the end of the next ſeſſion of Congreſs, and no longer.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the Houſe of Representatives.

JOHN ADAMS, *Vice-President of the United States*
and President of the Senate.

APPROVED, May twenty-fixth, 1790.

GEORGE WASHINGTON

President of the United States.

CHAPTER XIII.

An ACT to continue in Force an Act paſſed at the laſt Seſſion of Congreſs, entitled, "An Act to regulate Proceſſes in the Courts of the United States."

BE it enacted by the Senate and Houſe of Representatives of the United States of America in Congreſs aſſembled, That the act, entitled, "An act to regulate proceſſes in the courts of the United States," paſſed on the twenty-ninth day of September laſt, ſhall be, and the ſame is hereby continued in force until the end of the next ſeſſion of Congreſs, and no longer.

FREDERICK AUGUSTUS MUHLENBERG,

Speaker of the Houſe of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, May twenty-fixth, 1790.

GEORGE WASHINGTON,

President of the United States.

CHAPTER XIV.

ACT for the Government of the Territory of the United States, south of the River Ohio.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States

America in Congress assembled, That the territory of the United States south of the river Ohio, for the purposes of temporary government, shall be one district; the inhabitants of which shall enjoy all the privileges, benefits and advantages set forth in the ordinance of the late Congress, for the government of the territory of the United States north-west of the river Ohio. And the government of the said territory south of the Ohio, shall be similar to that which is now exercised in the territory north-west of the Ohio; except so far as is otherwise provided in the conditions expressed in an act of Congress of the present session, entitled, "An act to accept a cession of the claims of the State of North-Carolina, to a certain district of western territory."

Territory south of the Ohio, to be one district; its privileges and government;

Exceptions,

Sec. 2. *And be it further enacted,* That the salaries of the officers, which the President of the United States shall nominate, and with the advice and consent of the Senate appoint, by virtue of this act, shall be the same as those, by law established, of similar officers in the government north-west of the river Ohio. And the powers, duties and emoluments of a superintendant of Indian affairs for the southern department, shall be united with those of the governor.

Salaries of the officers therein.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.
JOHN ADAMS, *Vice-President of the United States.*
and President of the Senate.

APPROVED, May twenty-sixth, 1790.
GEORGE WASHINGTON,
President of the United States

CHAPTER XV.

An ACT for the ENCOURAGEMENT of LEARNING, by securing the Copies of Maps, Charts and Books, to the Authors and Proprietors of such Copies during the Times therein mentioned.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States

Authors of maps, charts and books;

and purchasers from them, to have the sole right of publication &c. for 14 years;

recording the title, &c.

America in Congress assembled, That from and after the passing of this act, the author and authors of any map, chart, book or books already printed within these United States, being a citizen or citizen thereof, or resident within the same, his or their executors, administrators or assigns, who hath or have not transferred to any other person the copy-right of such map, chart, book or books, share thereof; and any other person or persons being a citizen or citizens of these United States or residents therein, his or their executors, administrators or assigns, who hath or have purchased or legally acquired the copy-right of any such map, chart, book or books, in order to print, reprint, publish or vend the same, shall have the sole right and liberty of printing, reprinting, publishing and vending such map, chart, book or books, for the term of fourteen years from the recording the title thereof in the Clerk's office, as is herein after directed. And that the author and authors of any map, chart, book or books already made and composed, and not printed or published, or that shall hereafter be made and composed, being a citizen or citizens of these United States, or resident therein, and his or their executors, administrators or assigns, shall have the sole right and liberty of printing, reprinting, publishing and vending such map, chart, book or books, for the like term of fourteen years from the time of recording the title thereof in the Clerk's office as aforesaid. And if, at the expiration of the said term, the author

authors, or any of them, be living, and a citizen or citizens of these United States, or resident therein, the same exclusive right shall be continued to him or them, his or their executors, administrators or assigns, for the further term of fourteen years: *Provided*, he or they shall cause the title thereof to be a second time recorded and published in the same manner as is herein after directed, and that within six months before the expiration of the first term of fourteen years aforesaid.

Also, if living at the end of that term, to have the further term of 14 years; recording the title, &c.

Sec. 2. *And be it further enacted*, That if any other person or persons, from and after the recording the title of any map, chart, book or books, and publishing the same as aforesaid, and within the times limited and granted by this act, shall print, print, publish, or import, or cause to be printed, printed, published, or imported from any foreign kingdom or state, any copy or copies of such map, chart, book or books, without the consent of the author or proprietor thereof, first had and obtained in writing, signed in the presence of two or more credible witnesses; or knowing the same to be printed, reprinted, or imported, shall publish, sell, or expose to sale, or cause to be published, sold, or exposed to sale, any copy of such map, chart, book or books, without such consent first had and obtained in writing as aforesaid, then each offender or offenders shall forfeit all and every copy and copies of such map, chart, book or books, and all and every sheet and sheets, being part of the same, or either of them, to the author or proprietor of such map, chart, book or books, who shall forthwith destroy the same: And every such offender and offenders shall also forfeit and pay the sum of fifty cents for every sheet which shall be found in his or their possession, either printed or printing, published, imported or exposed to sale, contrary to the true intent and meaning of this act,

Other persons printing, &c. without consent of the author, how to be proceeded against and punished.

the one moiety thereof to the author or proprietor of such map, chart, book or books who shall sue for the same, and the other moiety thereof to and for the use of the United States, to be recovered by action of debt in any court of record in the United States, wherein the same is cognizable. *Provided always*, That such action be commenced within one year after the cause of action shall arise, and not afterwards.

Conditions on which the benefit of this act shall be obtained.

Sec. 3. *And be it further enacted*, That no person shall be entitled to the benefit of this act, in cases where any map, chart, book or books, hath or shall have been already printed and published, unless he shall first deposit, and in all other cases, unless he shall before publication deposit a printed copy of the title of such map, chart, book or books, in the clerk's office of the district court where the author or proprietor shall reside : And the clerk of such court is hereby directed and required to record the same forthwith, in a book to be kept by him for that purpose, in the words following, (giving a copy thereof to the said author or proprietor, and the seal of the court, if he shall require the same)

“ District of _____ to wit : *Be it remembered*
 That on the _____ day of _____ in the _____
 year of the independence of the United States of America, A. B. of the said district, hath deposited in this office the title of a map, chart, book or books, (as the case may be) the right whereof he claims as author or proprietor, (as the case may be) in the words following, to wit : [he insert the title] in conformity to the act of the Congress of the United States, intituled, “ An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned.” C. D. clerk of the district of _____.” For which the said clerk sha

entitled to receive sixty cents from the said author or proprietor, and sixty cents for every copy under seal actually given to such author or proprietor as aforesaid. And such author or proprietor shall, within two months from the date thereof, cause a copy of the said record to be published in one or more of the newspapers printed in the United States, for the space of four weeks.

Sec. 4. *And be it further enacted,* That the author or proprietor of any such map, chart, book or books, shall, within six months after the publishing thereof, deliver, or cause to be delivered to the Secretary of State a copy of the same, to be preserved in his office.

Authors to deliver a copy of their work to the secretary of state.

Sec. 5. *And be it further enacted,* That nothing in this act shall be construed to extend to prohibit the importation or vending, reprinting or publishing within the United States, of any map, chart, book or books, written, printed, or published by any person not a citizen of the United States, in foreign parts or places without the jurisdiction of the United States.

No prohibition against importing, reprinting, &c. of foreign writings or publications.

Sec. 6. *And be it further enacted,* That any person or persons who shall print or publish any manuscript, without the consent and approbation of the author or proprietor thereof, first had and obtained as aforesaid, (if such author or proprietor be a citizen of or resident in these United States) shall be liable to suffer and pay to the said author or proprietor all damages occasioned by such injury, to be recovered by a special action on the case founded upon this act, in any court having cognizance thereof.

Penalty for publishing manuscripts without consent of the authors.

Sec. 7. *And be it further enacted,* That if any person or persons shall be sued or prosecuted for any matter, act or thing done under or by virtue

Persons sued for any thing done under the

act, may give special matter in evidence. of this act, he or they may plead the general iff and give the special matter in evidence.

FREDERICK AUGUSTUS MUHLENBER
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate*

APPROVED, May the 31st, 1790.

GEORGE WASHINGTON
President of the United States

CHAPTER XVI.

An ACT for finally adjusting and satisfying the Claims of FREDERICK WILLIAM DE STEUBEN.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to make full and adequate compensation to Frederick William De Steuben, for the sacrifices and eminent services made and rendered to the United States during late war, there be paid to the said Frederick William De Steuben an annuity of two thousand hundred dollars during life, to commence on first day of January last, to be paid in quarterly payments at the treasury of the United States which said annuity shall be considered in full charge of all claims and demands whatever of said Frederick William De Steuben against United States.

Grant to F. W. Steuben of an annuity of 2,500 dollars for life.

FREDERICK AUGUSTUS MUHLENBER
Speaker of the House of Representatives

JOHN ADAMS, *Vice-President of the United States
and President of the Senate*

APPROVED, June the 4th, 1790.

GEORGE WASHINGTON
President of the United States

CHAPTER XVII.

ACT for giving Effect to an Act, intituled, " An Act to establish the Judicial Courts of the United States," within the State of North-Carolina.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States America in Congress assembled, That the act, intituled, " An act to establish the judicial courts of the United States," shall have the like force and effect within the state of North-Carolina, as elsewhere within the United States.

Judicial act declared in force as to N. Carolina.

Sec. 2. *And be it further enacted,* That the said state shall be one district, to be called North-Carolina district; and there shall be a district court therein, to consist of one judge, who shall reside in the district, and be called a district judge, and shall hold annually four sessions; the first to commence on the first Monday in July next, and the other three sessions progressively on the like Monday of every third calendar month afterwards. The said district court shall be held at the town of Newbern.

District court, its sessions, and

where held.

Sec. 3. *And be it further enacted,* That the said district shall be, and the same is hereby annexed to the southern circuit: And there shall be held annually in the said district two circuit courts; the first session of the circuit court shall commence on the eighteenth day of June next, the second session on the eighth day of November next, and the subsequent sessions on the like days of every June and November afterwards, except when any of the days shall happen on a Sunday, and then the session shall commence on the next day following. And the sessions of the said circuit courts shall be held at Newbern.

Annexed to southern circuit.

Circuit courts, their sessions, and

where held.

Sec. 4. *And be it further enacted,* That there shall be allowed to the judge of the said district, the yearly

Salary of the judge.

compensation of fifteen hundred dollars, to commence from his appointment, and to be paid at the treasury of the United States in quarterly payments.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States and President of the Senate.*

APPROVED, June the fourth, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER XVIII.

An ACT supplemental to the Act for establishing Salaries of the Executive Officers of Government with their Assistants and Clerks.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the more effectually to do and perform the duties in the Department of State, the Secretary of the said department be, and is hereby authorized to appoint an additional clerk in his office, who shall be allowed an equal salary, to be paid in the same manner as is allowed by law to the chief clerk.

Secretary of State to appoint an additional clerk; with what salary.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States and President of the Senate.*

APPROVED, June the fourth, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER XIX.

An ACT for giving Effect to the several Acts therein mentioned, in respect to the State of RHODE-ISLAND and PROVIDENCE PLANTATIONS.

Section 1. BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several and respective duties specified and laid in and by the act, intituled, "An act for laying a duty on goods, wares and merchandizes imported into the United States," and in and by the act, intituled, "An act imposing duties on tonnage," shall be paid and collected on all goods, wares and merchandizes, which after the expiration of five days from the passing of this act, shall be imported into the state of Rhode-Island and Providence Plantations, from any foreign port or place, and upon the tonnage of all ships and vessels, which, after the said day shall be entered within the said state of Rhode-Island and Providence Plantations, subject to the exceptions, qualifications, allowances and abatements in the said acts contained or expressed, which acts shall be deemed to have the like force and operation within the said state of Rhode-Island and Providence Plantations, as elsewhere within the United States.

Acts of impost & tonnage, declared in force as to the state of R. Island.

Sec. 2. And be it further enacted, That for the better collection of the said duties, there shall be in the said state of Rhode-Island and Providence Plantations, two districts—to wit: The district of Newport, and the district of Providence. The district of Newport shall comprehend all the waters, shores, rivers, harbors, creeks and inlets, from the west line of the said state, all along the sea-coast, and northward up the Narraganset Bay, as far as the most westerly part of Kinnimicut Point at high-water mark; and shall include the several towns, harbors and landing-places at Westerly, Charlestown,

And for due collection, two districts established;

their limits and boundaries;

South-Kingstown, North-Kingstown, East-Greenwich, and all that part of the town of Warwick southward of the latitude of said Kinnimicut Point and also the towns, harbors and landing-places Barrington, Warren, Bristol, Tiverton, Little Compton, and all the towns, harbors and landing-places of the island of Rhode-Island, Kinnimicut Prudence, New-Shoreham, and every other island and place within the said state southward of the latitude of the said Kinnimicut Point. The district of Providence shall comprehend all the water-shores, bays, harbors, creeks and inlets within the said state northward of the latitude of said Kinnimicut Point. The town of Newport shall be the port of entry in the said district of Newport; and a collector, naval-officer and surveyor shall be appointed, to reside at the said town of Newport and North-Kingstown, East-Greenwich, Barrington, Warren, Bristol, and Pawcatuck River Westerly, shall be ports of delivery only; and a surveyor shall be appointed, to reside at each of the ports of North-Kingstown, East-Greenwich, Warren, Bristol and Pawcatuck River; and the surveyor to reside at Warren shall be surveyor for the port of Barrington. The town of Providence shall be the sole port of entry in the said district of Providence; and Patuxet in the same district shall be a port of delivery only; and a collector, naval-officer and surveyor shall be appointed, to reside at Providence, and a surveyor shall be appointed, to reside at Patuxet.

Ports of entry and delivery.

Regulations, exceptions, &c.

Sec. 3. *And be it further enacted,* That all the regulations, provisions, exceptions, allowances, compensations, directions, authorities, penalties, forfeitures, and other matters whatsoever contained or expressed in the act, intituled, "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods

ares and merchandizes imported into the United States," and not locally inapplicable, shall have the like force and effect within the said state of Rhode-land and Providence Plantations, for the collection of the said duties, as elsewhere within the United States, and as if the same were repeated and re-enacted in this present act: *Provided always, and be it declared,* That the thirty-ninth section of the said act, and the third section of an act, intituled, "An act to suspend part of an act, intituled, An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandizes imported into the United States, and for other purposes," did, by virtue of the adoption of the Constitution of the United States by the said state of Rhode-Island and Providence Plantations, cease to operate in respect to the same.

Operation of parts of former acts to cease.

Sec. 4. *And be it further enacted,* That the act, intituled, "An act for registering and clearing vessels, regulating the coasting trade, and for other purposes," shall, after the expiration of five days from the passing of this act, have the like force and operation within the state of Rhode-Island and Providence Plantations, as elsewhere within the United States, and as if the several clauses thereof were repeated and re-enacted in this present act.

Act for registering vessels, and to regulate coasting trade, declared in force.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, June the fourteenth, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XX.

An ACT for the Relief of THOMAS JENKINS and COMPANY.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the duties, amounting to one hundred and sixty-seven dollars and fifty cents, be-
Duties on certain goods lost by fire, re-mitted. mitted on a parcel of hemp, duck, ticklenburg and molasses, the property of Thomas Jenkins and Company, merchants, of the city of Hudson, the state of New-York, which were lost by fire on the brig Minerva, on her passage from New-York to the city of Hudson, her port of delivery: And the Secretary of the Treasury of the United States is hereby authorized and directed to allow a credit on the bond or bonds executed by the said Thomas Jenkins and Company, for payment of the duties on the said goods.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States and President of the Senate.*

APPROVED, June the fourteenth, 1790.

GEORGE WASHINGTON

President of the United States.

CHAPTER XXI.

An ACT for giving Effect to an Act, intituled
 “ An Act to establish the Judicial Courts of the United States,” within the State of Rhode-Island and Providence Plantations.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act, intituled, “ An act to establish the judicial courts of the United States,” shall have the like force and effect within the state of Rhode-Island and Providence Plantations, as elsewhere within the United States
Judicial act declared in force as to R. Island.

Sec. 2. *And be it further enacted,* That the said District shall be one district, to be called Rhode-Island District: and there shall be a district court therein, to consist of one judge, who shall reside in the district, and be called a district judge, and shall hold annually four sessions; the first to commence on the first Monday in August next, and the other three sessions progressively on the like Monday of every third calendar month afterwards. The stated district court shall be held alternately at the towns of Newport and Providence, beginning at the first.

District court, its sessions, and

where held.

Sec. 3. *And be it further enacted,* That the said district shall be, and the same is hereby annexed to the eastern circuit: And there shall be held annually in the said district two circuit courts; the first session of the circuit court shall commence on the fourth day of December next, the second session on the fourth day of June next, and the subsequent sessions on the like days of every December and June afterwards, except when any of the days shall happen on a Sunday, and then the session shall commence on the day following. And the sessions of the said circuit courts shall be held alternately at the said towns of Newport and Providence, beginning at the last.

Annexed to eastern circuit.

Circuit courts, their sessions, and

where held.

Sec. 4. *And be it further enacted,* That there shall be allowed to the judge of the said district, the year-ly compensation of eight hundred dollars, to commence from his appointment, and to be paid at the treasury of the United States, in quarterly payments.

Salary of the judge.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, June the twenty-third, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XXII.

An ACT providing the Means of Intercourse between the United States and foreign Nations.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States

President
authorized
to draw
40,000dols.

for outfit,

and salaries
of ministers
plenipoten-
tiary, and

charge des
affaires, and

minister's
secretary ;

and to ac-
count speci-
fically.

America in Congress assembled, That the President of the United States shall be, and he hereby is authorized to draw from the treasury of the United States a sum not exceeding forty thousand dollars annually, to be paid out of the monies arising from duties on imports and tonnage, for the support of such persons as he shall commission to serve the United States in foreign parts, and for the expenses incident to the business in which they may be employed. Provided, That exclusive of an outfit which shall in no case exceed the amount of one year's full salary to the minister plenipotentiary chargé des affaires to whom the same may be allowed, the President shall not allow to any minister plenipotentiary a greater sum than at the rate of nine thousand dollars per annum, as a compensation for all personal services and other expences ; nor a greater sum for the same, than four thousand five hundred dollars per annum to a chargé des affaires ; nor a greater sum for the same, than one thousand three hundred and fifty dollars per annum to the secretary of any minister plenipotentiary. And provided also, That the President shall account specifically for all such expenditures of the said money as in his judgment may be made public, and also for the amount of such expenditures as he may think adviseable not to specify, and cause a regular statement and account thereof to be laid before Congress annually, and also lodged in the proper office of the treasury department.

continuance
of this act.

Sec. 2. *And be it further enacted, That this act shall continue and be in force for the space of ten*

ers, and from thence until the end of the next
 session of Congress thereafter, and no longer.

FREDERICK AUGUSTUS MUHLENBERG,

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, July the first, 1790.

GEORGE WASHINGTON,

President of the United States.

C H A P T E R XXIII.

ACT to satisfy the Claims of JOHN McCORD
 against the United States.

BE it enacted by the Senate and House of Represen-
 tatives of the United States of America in Con-
 gress assembled, That there be paid to John McCord,

of the duties arising on impost and tonnage,

809 dols. 71
 cts. granted
 J. McCord,

the sum of eight hundred nine dollars, seventy-one

cents, being the amount of his account against the

United States, as settled and admitted by the Au-
 ditor and Comptroller of the Treasury, on a bill of

exchange dated the fifth of August, in the year of

our Lord one thousand seven hundred and seventy-

eight, drawn in Canada for supplies, by General Wil-

son Thompson, General William Irvine and other

officers, in favor of William Pagan, on Messieurs

Redith and Clymer of Philadelphia : And the

other sum of five hundred dollars, in full of all

in full of all
 claims.

claims and demands against the United States,
 as well for lands and rations granted by several
 resolutions of Congress to Canadian sufferers, as
 on any other account whatsoever.

FREDERICK AUGUSTUS MUHLENBERG,

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*

and President of the Senate.

APPROVED, July the first, 1790.

GEORGE WASHINGTON,

President of the United States.

CHAPTER XXIV.

An ACT for the Relief of NATHANIEL TWINING.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the penalty, amounting to hundred and sixty-seven dollars and forty-cents, incurred by Nathaniel Twining, for a failure in neglecting to transport the mail between Charleston and Savannah, from the month of September one thousand seven hundred and eighty-seven, until the first of January, one thousand seven hundred and eighty-eight, pursuant to a contract made with the late postmaster-general, shall be, and the fine is hereby remitted.

Penalty of 567 dols. 41 cts. remitted to N. Twining.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States and President of the Senate.*

APPROVED, July the first, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER XXV.

An ACT for giving Effect to an Act, intituled, “*Act providing for the Enumeration of the Inhabitants of the United States,*” in respect to the State of Rhode-Island and Providence Plantations.

Section I. **B**E it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act passed at the present session of Congress, intituled, “*An Act providing for the enumeration of the inhabitants of the United States,*” shall be deemed to have the like force and operation within the state of Rhode-Island and Providence Plantations, as elsewhere

Act for enumeration declared in force as to R. Island.

within the United States ; and all the regulations, provisions, directions, authorities, penalties, and other matters whatsoever, contained or expressed in the said act, and which are not locally inapplicable, shall have the like force and effect within the said state, as if the same were repeated and re-enacted in and by this present act.

Sec. 2. *And be it further enacted*, That the marshal of the district of Rhode-Island shall receive, Salary of the marshal. full compensation for the performance of all the duties and services confided to, and enjoined upon him by this act, one hundred dollars.

FREDERICK AUGUSTUS MUILENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, July the fifth, 1790.

GEORGE WASHINGTON,
President of the United States.

C H A P T E R XXVI.

An ACT to authorize the Purchase of a Tract of Land for the Use of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the President of the United States, and he is hereby President authorized to purchase West Point, for purpose of fortifications, &c. authorized to cause to be purchased for the use of the United States, the whole or such part of that tract of land situate in the state of New-York, commonly called West-Point, as shall be by him judged requisite for the purpose of such fortifica-

tions and garrisons as may be necessary for the defence of the same.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States*
and President of the Senate.

APPROVED, July the fifth, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER XXVII.

An ACT further to provide for the Payment of t
Invalid Pensioners of the United States.

BE it enacted by the Senate and House of Representatives of the United States of America Congress assembled, That the military pensions which have been granted and paid by the States respectively, in pursuance of former acts of the United States in Congress assembled, and such as by act passed in the present session of Congress, are or shall be declared to be due to invalids who were wounded and disabled during the late war, shall be continued and paid by the United States, from the fourth day of March last, for the space of one year under such regulations as the President of the United States may direct.

Military pensions to be paid from 4th March, for 1 year, and under what regulations.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States*
and President of the Senate.

APPROVED, July the 16th, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER XXVIII.

An ACT for establishing the temporary and permanent Seat of the Government of the United States.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States

America in Congress assembled, That a district of territory, not exceeding ten miles square, to be located as hereafter directed on the river Potomack, some place between the mouths of the Eastern-ranch and Connogochegue, be, and the same is hereby accepted for the permanent seat of the government of the United States: *Provided nevertheless,* That the operation of the laws of the State within such district shall not be affected by this acceptance, until the time fixed for the removal of the government thereto, and until Congress shall hereafter by law provide.

District on the Potomac accepted for permanent seat of government, and

state laws, when to cease therein.

Sec. 2. *And be it further enacted,* That the President of the United States be authorized to appoint, and by supplying vacancies happening from refusals to act or other causes, to keep in appointment as long as may be necessary, three commissioners, who, or any two of whom, shall, under the direction of the President, survey, and by proper metes and bounds define and limit a district of territory, under the limitations above mentioned; and the district so defined, limited and located, shall be deemed the district accepted by this act, for the permanent seat of the government of the United States,

President to appoint commissioners for locating the same;

Sec. 3. *And be it enacted,* That the said commissioners, or any two of them, shall have power to purchase or accept such quantity of land on the eastern side of the said river, within the said district, as the President shall deem proper for the use of the United States, and according to such plans as the President shall approve, the said commissioners, or any two of them, shall, prior to the first Monday in December, in the year one thousand eight hundred, pro-

who may purchase or accept grants of land, prior to Dec. 1800 provide buildings.

vide suitable buildings for the accommodation of Congress, and of the President, and for the public offices of the government of the United States.

Expence thereof, how to be defrayed.

Sec. 4. *And be it enacted*, That for defraying the expence of such purchases and buildings, the President of the United States be authorized and requested to accept grants of money.

Prior to 1st Monday in Dec. next, seat of government to be removed to Philadelphia, and so remain until the year 1800.

Sec. 5. *And be it enacted*, That prior to the first Monday in December next, all offices attached to the seat of the government of the United States shall be removed to, and until the said first Monday in December, in the year one thousand eight hundred, shall remain at the city of Philadelphia, in the state of Pennsylvania, at which place the session of Congress next ensuing the present shall be held.

In December, 1800, seat of government to be removed to district accepted by this act.

Sec. 6. *And be it enacted*, That on the said first Monday in December, in the year one thousand eight hundred, the seat of the government of the United States, shall, by virtue of this act, be transferred to the district and place aforesaid. And all offices attached to the said seat of government, shall accordingly be removed thereto by their respective holders, and shall, after the said day, cease to be exercised elsewhere; and that the necessary expence of such removal shall be defrayed out of the duties on imposts and tonnage, of which a sufficient sum is hereby appropriated.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States*
and President of the Senate.

APPROVED, July the sixteenth, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER XXIX.

ACT for the Government and Regulation of
SEAMEN in the Merchants Service.

Section I. **B**E it enacted by the Senate and House
of Representatives of the United States

America in Congress assembled, That from and after
first day of December next, every master or
commander of any ship or vessel bound from a
port in the United States to any foreign port, or
any ship or vessel of the burthen of fifty tons or
more, bound from a port in one state to a port
in any other than an adjoining state, shall, before he
proceed on such voyage, make an agreement in writ-
ing or in print, with every seaman or mariner on
board such ship or vessel (except such as shall be
apprentice or servant to himself or owners) declar-
ing the voyage or voyages, term or terms of time,
and which such seaman or mariner shall be shipped.

Master and
mariners in
the mer-
chants ser-
vice to exe-
cute a ship-
ping agree-
ment :

And if any master or commander of such ship or
vessel shall carry out any seamen or mariner (except
apprentices or servants as aforesaid) without such
contract or agreement being first made and signed
by the seamen and mariners, such master or com-
mander shall pay to every such seaman or mariner
the highest price or wages which shall have been
paid at the port or place where such seaman or
mariner shall have been shipped, for a similar voyage,
within three months next before the time of such
shipping : *Provided* such seaman or mariner shall
perform such voyage : or if not, then for such time
as he shall continue to do duty on board such ship
or vessel ; and shall moreover forfeit twenty dollars
for every such seaman or mariner, one half to the
use of the person prosecuting for the same, the other
half to the use of the United States : and such sea-
man or mariner, not having signed such contract,
shall not be bound by the regulations, nor subject
to the penalties and forfeitures contained in this act.

Master fail-
ing so to do,
subject to
penalty.

Mariner
failing to
perform the
agreement,
what penal-
ty subjected
to.

Sec. 2. *And be it enacted*, That at the foot of every such contract, there shall be a memorandum in writing, of the day and the hour on which such seaman or mariner, who shall so ship and subscribe, shall render themselves on board, to begin the voyage agreed upon. And if any such seaman or mariner shall neglect to render himself on board the ship or vessel, for which he has shipped, at the time mentioned in such memorandum, and if the master, commander, or other officer of the said vessel, shall, on the day on which such neglect happened, make an entry in the log-book of such ship or vessel, of the name of such seaman or mariner and shall in like manner note the time that he neglected to render himself (after the time pointed); every such seaman or mariner shall forfeit for every hour which he shall so neglect to render himself, one day's pay, according to the rate of wages agreed upon, to be deducted out of his wages. And if any such seaman or mariner wholly neglect to render himself on board of the ship or vessel, or having rendered himself on board shall afterwards desert and escape, so that the ship or vessel proceed to sea without him, every such seaman or mariner shall forfeit and pay to the master, owner or consignee of the said ship or vessel a sum equal to that which shall have been paid him by advance at the time of signing the contract, over and besides the sum so advanced, both which sums shall be recoverable in any court, or before any justice or justices of any state, city, town or county within the United States, which, by the laws thereof, have cognizance of debts of equal value, against such seaman or mariner, or his surety or sureties, in case he shall have given surety to proceed the voyage.

Sec. 3. *And be it enacted*, That if the master, first officer under the master, and a majority of the crew of any ship or vessel, bound on a voyage

foreign port, shall, after the voyage is begun and before the ship or vessel shall have left the port, discover that the said ship or vessel is too leaky, or otherwise unfit in her crew, body, tackle, apparel, furniture, provisions or stores, to proceed on the intended voyage, and shall require such unseafits to be enquired into, the master or commander shall upon the request of the said mate (or other officer) and such majority, forthwith proceed to or stop at the nearest or most convenient port or place where such enquiry can be made, and there apply to the judge of the district court, if he shall there reside, or if not, to some justice of the peace of the city, town or place, taking with him two or more of the said crew who shall have made the such request; and thereupon such judge or justice is hereby authorized and required to issue a precept directed to three persons in the neighborhood, the most skilful in maritime affairs that can be procured, requiring them to repair on board the said ship or vessel, and to examine the same in relation to the defects and insufficiencies complained of, and to make report to him the said judge or justice, in writing under their hands, or the hands of two of them, whether in any, or in what respect the said ship or vessel is unfit to proceed on the intended voyage, and what addition of men, provisions or stores, or what repairs or alterations in the hull, tackle or apparel will be necessary; and upon the report the said judge or justice shall adjudge and determine, and shall endorse on the said report his judgment, whether the said ship or vessel is fit to proceed on the intended voyage; and if not, whether such repairs can be made or deficiencies supplied where the ship or vessel then lays, or whether it is necessary for the said ship or vessel to return to the port from whence she first sailed, to be there repaired; and the master and crew shall in all things conform to the said judgment; and the master or

Vessel leaky or unfit to perform her voyage, what proceedings shall be had for ascertaining the same.

Master, &c.
to pay costs.

commander shall, in the first instance, pay all costs of such view, report and judgment, to be taxed and allowed on a fair copy thereof, certified by the said judge or justice. But if the complaint of the said crew shall appear upon the said report and judgment, to have been without foundation, then the said master, or the owner or consignee of such ship or vessel, shall deduct the amount thereof and of reasonable damages for the detention (to be ascertained by the said judge or justice) out of the wages growing due to the complaining seamen or mariners. And if after such judgment, such ship or vessel is fit to proceed on her intended voyage or after procuring such men, provisions, stores, repairs or alterations as may be directed, the seamen or mariners, or either of them, shall refuse to proceed on the voyage, it shall and may be lawful for any justice of the peace to commit by warrant under his hand and seal, every such seaman or mariner (who shall so refuse) to the common gaol of the county, there to remain without bail or mainprize, until he shall have paid double the sum advanced to him at the time of subscribing the contract for the voyage, together with such reasonable costs as shall be allowed by the said justice, and inserted in the said warrant, and the surety or sureties of such seaman or mariner (in case he or they have given any) shall remain liable for such commitment; nor shall any such seaman or mariner be discharged upon any writ of habeas corpus or otherwise, until such sum be paid by him or them, or by their surety or sureties, for want of any former commitment, or other previous proceedings. *Provided*, That sufficient matter shall be made to appear, upon the return of such habeas corpus, for an examination then to be had, to detain him in the causes herein before assigned.

Sec. 4. *And be it enacted*, That if any person shall harbor or secrete any seaman or mariner

going to any ship or vessel, knowing them to be-
 g thereto, every such person, on conviction
 reof before any court in the city, town or
 county where he, she or they may reside, shall
 forfeit and pay ten dollars for every day which he,
 or they shall continue so to harbor or secrete
 a seaman or mariner, one half to the use of the
 person prosecuting for the same, the other half to
 the use of the United States; and no sum exceed-
 ing one dollar, shall be recoverable from any sea-
 man or mariner by any one person, for any debt
 contracted during the time such seaman or mariner
 actually belong to any ship or vessel, until the
 voyage for which such seaman or mariner engaged
 shall be ended.

Penalty for
 harboring
 runaway
 seamen.

Sec. 5. *And be it enacted*, That if any seaman
 or mariner, who shall have subscribed such con-
 tract as is herein before described, shall absent him-
 self from on board the ship or vessel in which he
 was so have shipped, without leave of the master or
 other commanding on board; and the mate, or
 other officer having charge of the log-book, shall
 make an entry therein of the name of such seaman
 or mariner, on the day on which he shall so absent
 himself, and if such seaman or mariner shall return
 to his duty within forty-eight hours, such seaman
 or mariner shall forfeit three days pay for every
 day which he shall so absent himself, to be deducted
 from his wages: but if any seaman or mariner
 shall absent himself for more than forty-eight hours
 at one time, he shall forfeit all the wages due to
 him, and all his goods and chattels which were on
 board the said ship or vessel, or in any store where
 they may have been lodged at the time of his de-
 parture, to the use of the owners of the ship or
 vessel, and moreover shall be liable to pay to him
 or them all damages which he or they may sustain
 in being obliged to hire other seamen or mariners
 in his or their place, and such damages shall be re-

Mariner
 absenting
 himself
 from duty,
 penalty on,
 and how to
 be proceed-
 ed against.

covered with costs, in any court or before any
 tice or justices having jurisdiction of the reco
 of debts to the value of ten dollars or upwards

When, and
 at what port
 entitled to
 demand his
 wages;

How to re-
 cover them
 if withheld.

Sec. 6. *And be it enacted*, That every seaman
 mariner shall be entitled to demand and rec
 from the master or commander of the ship or v
 to which they belong, one third part of the w
 which shall be due to him at every port where
 ship or vessel shall unlade and deliver her cargo
 fore the voyage be ended, unless the contrary
 expressly stipulated in the contract: and as for
 the voyage is ended, and the cargo or ballast
 fully discharged at the last port of delivery, every
 man or mariner shall be entitled to the wages w
 shall be then due according to his contract:
 if such wages shall not be paid within ten day
 ter such discharge, or if any dispute shall arise
 tween the master and seamen or mariners touc
 the said wages, it shall be lawful for the judge
 the district where the said ship or vessel shall b
 in case his residence be more than three miles
 the place, or of his absence from the place o
 residence, then, for any judge or justice o
 peace, to summon the master of such ship or
 to appear before him, to shew cause why pr
 should not issue against such ship or vessel,
 tackle, furniture and apparel, according to
 course of admiralty-courts, to answer for the
 wages: and if the master shall neglect to ap
 or appearing, shall not shew that the wages are
 or otherwise satisfied or forfeited, and if the m
 in dispute shall not be forthwith settled, in such
 the judge or justice shall certify to the clerk o
 court of the district, that there is sufficient cau
 complaint whereon to found admiralty-procefs
 thereupon the clerk of such court shall issue pr
 against the said ship or vessel, and the suit sha
 proceeded on in the said court, and final judg
 be given according to the course of admiralty-c

such cases used; and in such suit all the seamen and mariners (having cause of complaint of the like kind against the same ship or vessel) shall be joined complainants; and it shall be incumbent on the master or commander to produce the contract and book, if required, to ascertain any matters in dispute; otherwise the complainants shall be permitted to state the contents thereof, and the proof of the contrary shall lie on the master or commander; but nothing herein contained shall prevent any seaman or mariner from having or maintaining any action at common law for the recovery of his wages, or from immediate process out of any court having admiralty-jurisdiction, wherever any ship or vessel may be found, in case she shall have departed from the port of delivery where her voyage ended, before payment of the wages, or in case she shall be about to proceed to sea before the end of the ten days next after the delivery of her cargo or ballast.

Sec. 7. *And be it enacted*, That if any seaman or mariner, who shall have signed a contract to perform any voyage, shall, at any port or place, desert, or shall absent himself from such ship or vessel, without leave of the master, or officer commanding in the absence of the master, it shall be lawful for any justice of peace within the United States (upon the complaint of the master) to issue his warrant to apprehend such deserter, and bring him before such justice; and if it shall then appear by due proof, that he has signed a contract within the intent and meaning of this act, and that the voyage agreed upon is not finished, altered, or the contract otherwise dissolved, and that such seaman or mariner has deserted the ship or vessel, or absented himself without leave, the said justice shall commit him to the custody of correction or common gaol of the city, town or place, there to remain until the said ship or vessel shall be ready to proceed on her voyage, or until the master shall require his discharge, and

Mariner deserting at any port or place, how to be proceeded against and punished.

then to be delivered to the said master, he pay all the cost of such commitment, and deduct the same out of the wages due to such seaman or mariner.

Every ship or vessel outward bound, to be furnished with a medicine chest:

Sec. 8. *And be it enacted*, That every ship or vessel belonging to a citizen or citizens of the United States, of the burthen of one hundred and fifty tons or upwards, navigated by ten or more persons in the whole, and bound on a voyage without the limits of the United States, shall be provided with a chest of medicines, put up by some apothecary of known reputation, and accompanied by directions for administering the same; and said medicines shall be examined by the same or some other apothecary, once at least in every year, and supplied with fresh medicines in the place such as shall have been used or spoiled; and in default of having such medicine-chest so provided and kept fit for use, the master or commander of such ship or vessel shall provide and pay for all such advice, medicine, or attendance of physicians, if any of the crew shall stand in need of in case of sickness, at every port or place where the ship or vessel may touch or trade at during the voyage, without any deduction from the wages of such sick seaman or mariner.

penalty on the master for default.

Ships, &c. bound across the Atlantic, what supply of provisions and water shall be laid in.

Sec. 9. *And be it enacted*, That every ship or vessel, belonging as aforesaid, bound on a voyage across the Atlantic ocean, shall, at the time of leaving the last port from whence she sails, have on board, well secured under deck, at least five gallons of water, one hundred pounds of salted flesh meat, and one hundred pounds of wholesome ship-bread, for every person on board such ship or vessel, over and besides such other provisions, stores, and live-stock as shall by the master or passengers be put on board, and in like proportion for shorter or longer voyages; and in case the crew of a

Ship or vessel, which shall not have been so provided, shall be put upon short allowance in water, Penalty for failure.
 fish or bread, during the voyage, the master or owner of such ship or vessel shall pay to each of the crew, one day's wages beyond the wages agreed upon, for every day they shall be put to short allowance, to be recovered in the same manner as their regulated wages.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, July the twentieth, 1790.

GEORGE WASHINGTON,
President of the United States.

C H A P T E R XXX.

AN ACT imposing DUTIES on the TONNAGE of SHIPS or VESSELS.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon all ships or vessels which after the first day of September next, shall be entered in the United States from any foreign port or place, there shall be paid the several and respective duties following, that is to say: On ships or vessels of the United States, the rate of six cents per ton: on ships or vessels built within the United States after the twentieth day of July last, but belonging wholly or in part to subjects of foreign powers, at the rate of thirty cents per ton: on other ships or vessels at the rate of fifty cents per ton. Tonnage, on ships or vessels of U. States; on those of foreigners; on all others

Sec. 2. *And be it further enacted,* That the aforesaid duty of six cents per ton, shall be also paid on every ship or vessel of the United States, On ships or vessels of U. States,

trading be-
tween dif-
trict and
district ;

which after the said first day of September next shall be entered in a district in one State from district in another State, other than an adjoining State on the sea coast or on a navigable river, having on board goods, wares and merchandize taken in one State to be delivered in another State *Provided*, That it shall not be paid on any ship vessel having a license to trade between the different districts of the United States, or to carry the bank or whale fisheries whilst employed therein, more than once a year.

On ships or
vessels not of
U. States,
trading be-
tween dif-
trict and
district.

Sec. 3. *And be it further enacted*, That upon every ship or vessel not of the United States, which after the said first day of September next, shall be entered in one district from another district, having on board goods, wares and merchandize taken in, in one district to be delivered in another district there shall be paid at the rate of fifty cents per ton

Payment of
foreign ton-
nage here-
tofore ex-
acted on
certain ves-
sels of the
U. States,
employed
in coasting
trade and
fisheries,

And whereas it is declared by the twenty-third section of the act, intituled, "An act for registering and clearing vessels, regulating the coast trade, and for other purposes," "That if any vessel of the burthen of twenty tons or upwards, having a certificate of registry or inrollment, and a license, shall be found trading between different districts, or be employed in the bank or whale fisheries, every such ship or vessel shall be subject to the same tonnage and fees as foreign ships vessels," which, from the impracticability in some cases of obtaining licenses in due season, and from misapprehension in others, has operated to the prejudice of individuals ; and it being proper that relief should be granted in cases where the strict operation of new laws may have occasioned hardship and inconvenience :

restitution
to be made
for, and

Sec. 4. *Be it therefore further enacted*, That in all cases in which the said foreign duty shall have been heretofore paid on ships or vessels of the U

United States, whether registered at the time of payment or afterwards, restitution thereof shall be made, and that no such foreign duty shall hereafter be demanded on the said ships or vessels.

not demandable in future.

Sec. 5. *And be it further enacted*, That the act, intituled, "An act imposing duties on tonnage," shall, after the said first day of September next, be repealed, and shall thenceforth cease to operate, except as to the collection of the duties which shall have accrued prior to the said repeal, for which purpose the said act shall continue in force.

Repeal of former act.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, July the twentieth, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XXXI.

An ACT providing for holding a Treaty or Treaties to establish Peace with certain Indian Tribes.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the balance expended, of the sum of twenty thousand dollars, appropriated by the act, intituled, "An act providing for the expences which may attend negotiations or treaties with the Indian tribes, and the appointment of commissioners for managing the same," a farther sum, not exceeding twenty thousand dollars, arising from the duties on imports and tonnage, shall be, and the same is hereby appropriated for defraying the expences of negotiating, and holding a treaty or treaties, and for promoting

20,000 dols. arising from imports and tonnage, appropriated.

a friendly intercourse, and preserving peace with the Indian tribes.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States*

and President of the Senate.

APPROVED, July the twenty-second, 1790.

GEORGE WASHINGTON

President of the United States.

CHAPTER XXXII.

An ACT to amend the Act for the Establishment and Support of Light-Houses, Beacons, Buoys, and Public Piers.

BE. it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That all expences which shall be incurred from and after the fifteenth day of August next, for the necessary support, maintenance and repairs of all light-houses, beacons, buoys and public piers, within the United States, shall continue to be defrayed by the United States, until the first day of July, one thousand seven hundred and ninety-one, notwithstanding such light-houses, beacons, buoys, and public piers, with the lands and tenements thereunto belonging, and the jurisdiction of the same, shall not in the mean time be ceded, or vested in the United States, by the State or States respectively, in which the same may be, at that the said time be further allowed to the State or States respectively to make such cessions.

Expence of light-houses, &c. to be defrayed until July 1791, altho' not ceded, and states allowed till that day to make cessions.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States*

and President of the Senate.

APPROVED, July the twenty-second, 1790.

GEORGE WASHINGTON

President of the United States.

CHAPTER XXXIII.

ACT to regulate Trade and Intercourse with
the INDIAN TRIBES.

Section 1. **B**E it enacted by the Senate and House of
Representatives of the United States

America in Congress assembled, That no person
shall be permitted to carry on any trade or inter-
course with the Indian tribes, without a licence for
that purpose, under the hand and seal of the super-
intendant of the department, or of such other per-
son as the President of the United States shall ap-
point for that purpose; which superintendent, or
other person so appointed, shall, on application,
issue such licence to any proper person, who shall
enter into bond with one or more sureties, ap-
proved of by the superintendent, or person issuing
such licence, or by the President of the United
States, in the penal sum of one thousand dollars,
payable to the President of the United States for
the time being, for the use of the United States,
conditioned for the true and faithful observance of
all rules, regulations and restrictions, as now
in force, or hereafter shall be made for the government
of the trade and intercourse with the Indian tribes.
The said superintendants, and persons by them li-
censed as aforesaid, shall be governed in all things
relating to the said trade and intercourse, by such rules
and regulations as the President shall prescribe.
And no other person shall be permitted to carry on
any trade or intercourse with the Indians without
a licence as aforesaid. No licence shall be granted
for a longer term than two years. *Provided neverthe-*

Licenses to
trade with
the Indians,
by whom to
be granted,

and how to
be obtained.

That the President may make such order re-
lating to the tribes surrounded in their settlements
by the citizens of the United States, as to secure
the said intercourse without licence, if he may deem it
proper.

May be recalled for certain transgressions.

Sec. 2. *And be it further enacted,* That the superintendent, or person issuing such licence, shall have full power and authority to recall all such licences as he may have issued, if the person so licensed shall transgress any of the regulations or restrictions provided for the government of trade and intercourse with the Indian tribes, and shall put in suit such bonds as he may have taken, immediately on the breach of any condition in such bond: *Provided always,* That if it shall appear on trial, that the person from whom such licence shall have been recalled, has not offended against any of the provisions of this act, or the regulations prescribed for the trade and intercourse with the Indian tribes, he shall be entitled to receive a new licence.

Penalty for trading without licence.

Sec. 3. *And be it further enacted,* That every person who shall attempt to trade with the Indian tribes, or be found in the Indian country with such merchandize in his possession as are usually vendible to the Indians, without a licence first had and obtained, as in this act prescribed, and being there convicted in any court proper to try the same, shall forfeit all the merchandize so offered for sale to the Indian tribes, or so found in the Indian country, which forfeiture shall be one half to the benefit of the person prosecuting, and the other half to the benefit of the United States.

Sales of lands by Indians, in what cases valid.

Sec. 4. *And be it enacted and declared,* That no sale of lands made by any Indians, or any nation or tribe of Indians within the United States, shall be valid to any person or persons, or to any state, whether having the right of pre-emption to such lands or not, unless the same shall be made and duly executed at some public treaty, held under the authority of the United States.

Sec. 5. *And be it further enacted,* That if any citizen or inhabitant of the United States, or any person either of the territorial districts of the United States,

shall go into any town, settlement or territory belonging to any nation or tribe of Indians, and shall there commit any crime upon, or trespass against, the person or property of any peaceable and friendly Indian or Indians, which, if committed within the jurisdiction of any state, or within the jurisdiction of either of the said districts, against a citizen or white inhabitant thereof, would be punishable by the laws of such state or district, such offender or offenders shall be subject to the same punishment, and shall be proceeded against in the same manner as if the offence had been committed within the jurisdiction of the state or district to which he or they may belong, against a citizen or white inhabitant thereof.

Offences committed within the Indian territory, how to be punished; and

Sec. 6. *And be it further enacted,* That for any of the crimes or offences aforesaid, the like proceedings shall be had for apprehending, imprisoning or bailing the offender, as the case may be, and for recognizing the witnesses for their appearance to testify in the case, and where the offender shall be committed, or the witnesses shall be in a district other than that in which the offence is to be tried, for the removal of the offender and the witnesses or either of them, as the case may be, to the district in which the trial is to be had, as by the act to establish the judicial courts of the United States, are directed for any crimes or offences against the United States.

what proceedings shall be had therein.

Sec. 7. *And be it further enacted,* That this act shall be in force for the term of two years, and from thence to the end of the next session of Congress, and no longer.

Continuance of this act.

FREDERICK AUGUSTUS MUILENBERG,
Speaker of the House of Representatives.
JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, July the twenty-second, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XXXIV.

An ACT making Provision for the DEBT of the United States.

Recital.

WHEREAS justice and the support of public credit require, that provision should be made for fulfilling the engagements of the United States, in respect to their foreign debt, and for funding their domestic debt upon equitable and satisfactory terms :

Duties on imports and tonnage appropriated to pay interest on the foreign debt and future loans, reserving sixty thousand dollars annually for support of government.

Section 1. *BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That reserving out of the monies which have arisen since the last day of December last past, and which shall hereafter arise from the duties on goods, wares and merchandize imported into the United States, and on the tonnage of ships or vessels, the yearly sum of six hundred thousand dollars, or so much thereof as may be appropriated from time to time, towards the support of the government of the United States, and the common defence, the residue of the said monies or so much thereof, as may be necessary, as the same shall be received in each year, next after the sum reserved as aforesaid, shall be, and hereby appropriated to the payment of the interest which shall from time to time become due on the loans heretofore made by the United States to foreign countries ; and also to the payment of interest on such further loans as may be obtained for discharging the arrears of interest thereupon and the whole or any part of the principal thereof to continue so appropriated until the said loans, well those already made as those which may be made in virtue of this act, shall be fully satisfied pursuant to the contracts relating to the same, according to law to the contrary notwithstanding. *And provide* That nothing herein contained, shall be construed to annul or alter any appropriation by law made prior to the passing of this act.

And as new loans are and will be necessary for
 payment of the aforesaid arrears of interest,
 the instalments of the principal of the said
 foreign debt due and growing due, and may also
 be found expedient for effecting an intire altera-
 tion in the state of the same :

For pay-
 ment of in-
 terest and
 instalment
 of foreign
 debt,

Sec. 2. *Be it further enacted,* That the President of
 the United States be, and he is hereby authorized,
 to cause to be borrowed on behalf of the United
 States, a sum or sums, not exceeding in the whole
 five million of dollars ; and that so much of this
 sum as may be necessary to the discharge of the said
 arrears and instalments, and (if it can be effected
 on terms advantageous to the United States) to
 paying off the whole of the said foreign debt
 be appropriated solely to those purposes : And the
 President is moreover further authorized to cause
 to be made such other contracts respecting the said
 debt as shall be found for the interest of the said
 States. *Provided nevertheless,* That no engage-
 ment nor contract shall be entered into which shall
 include the United States from reimbursing any
 sum or sums borrowed within fifteen years after
 the same shall have been lent or advanced.

President
 may make
 new loans
 & contracts.

And whereas it is desirable to adapt the nature
 of the provision to be made for the domestic debt
 to the present circumstances of the United States,
 and as it shall be found practicable, consistently with
 good faith and the rights of the creditors ; which
 can only be done by a voluntary loan on their part :

Sec. 3. *Be it therefore further enacted,* That a loan
 for the full amount of the said domestic debt, be,
 and the same is hereby proposed ; and that books
 for receiving subscriptions to the said loan be
 opened at the Treasury of the United States, and
 a commissioner to be appointed in each of the
 said States, on the first day of October next, to
 continue open until the last day of September fol-

Domestic
 debt to be
 loaned to its
 full amount,
 & subscrip-
 tions there-
 to, how to
 be made ;

lowing, inclusively ; and that the sums which shall be subscribed thereto, be payable in certificates issued for the said debt, according to their several value, and computing the interest upon such certificates to bear interest to the last day of December next inclusively ; which said certificates shall be of the several descriptions—to wit :

in what
payable.

Those issued by the register of the treasury.

Those issued by the commissioners of loans in several states, including certificates given pursuant to the act of Congress of the second of January, one thousand seven hundred and seventy-nine, for the amount of credit of the several emissions of the twentieth of May, one thousand seven hundred and seventy-seven, and the eleventh of April, one thousand seven hundred and seventy-eight.

Those issued by the commissioners for the adjustment of the accounts of the quartermaster, commissary, hospital, clothing, and marine departments.

Those issued by the commissioners for the adjustment of accounts in the respective states.

Those issued by the late and present paymaster general, or commissioner of army accounts.

Those issued for the payment of interest, commonly called indents of interest.

And in the bills of credit issued by the authority of the United States in Congress assembled, at the rate of one hundred dollars in the said bills, and one dollar in specie.

Subscribers
paying in
principal of
domestic
debt, what
proportions
of principal,
rate of in-
terest and
terms of
payment
entitled to.

Sec. 4. *And be it further enacted*, That for the whole or any part of any sum subscribed to the said loan, by any person or persons, or body-politic which shall be paid in the principal of the said domestic debt, the subscriber or subscribers shall be entitled to a certificate, purporting that the United States owe to the holder or holders thereof, his or their assigns, a sum to be expressed therein equal to two thirds of the sum so paid, bearing interest of six per centum per annum, payable

quarter yearly, and subject to redemption by payments not exceeding in one year, on account both of principal and interest, the proportion of eight dollars upon a hundred of the sum mentioned in such certificate; and to another certificate purporting that the United States owe to the holder or holders thereof, his, her or their assigns, a sum to be expressed therein, equal to the proportion of eighty-three dollars and one third of a dollar upon a hundred of the sum so paid, which after the year one thousand eight hundred shall bear an interest of six per centum per annum, payable quarterly, and subject to redemption by payments not exceeding in one year, on account both of principal and interest, the proportion of eight dollars upon a hundred of the sum mentioned in such certificate: *Provided*, That it shall not be understood that the United States shall be bound or obliged to redeem in the proportion aforesaid; but shall be understood only that they have a right to do.

Sec. 5. *And be it further enacted*, That for the whole or any part of any sum subscribed to the said debt by any person or persons, or body politic, which shall be paid in the interest of the said domestic debt, computed to the said last day of December next, or in the said certificates issued in payment of interest, commonly called indents of interest, the subscriber or subscribers shall be entitled to a certificate purporting that the United States owe to the holder or holders thereof, his, her or their assigns, a sum to be specified therein, equal to that by him, her or them so paid, bearing an interest of three per centum per annum, payable quarterly, and subject to redemption by payment of the sum specified therein, whenever provision shall be made by law for that purpose.

Subscribers paying in interest of domestic debt, what proportions of principal, rate of interest, and terms of payment entitled to.

Sec. 6. *And be it further enacted*, That a commissioner be appointed for each state, to reside

Commis-
sioner to be
appointed in
each state to
receive sub-
scriptions,
&c.

therein, whose duty it shall be to superintend subscriptions to the said loan; to open books the same; to receive the certificates which shall be presented in payment thereof; to liquidate the value of such of them as shall not have been before liquidated; to issue the certificates above mentioned in lieu thereof, according to the terms of each subscription; to enter in books to be by him kept for that purpose, credits to the respective subscribers to the said loan for the sums to which they shall be respectively entitled; to transfer said credits upon the said books from time to time as shall be requisite; to pay the interest thereon as the same shall become due, and generally to observe and perform such directions and regulations as shall be prescribed to him by the Secretary of the Treasury, touching the execution of his office.

Stock crea-
ted by this
act, how
transferable

Sec. 7. *And be it further enacted*, That the stock which shall be created pursuant to this act, shall be transferable only on the books of the treasury, of the said commissioners respectively, upon which the credit for the same shall exist at the time of transfer, by the proprietor or proprietors of said stock, his, her or their attorney: but it shall be lawful for the Secretary of the Treasury, by special warrant under his hand and the seal of the treasury countersigned by the comptroller, and registered in the register, at the request of the respective proprietors, to authorize the transfer of such stock from the books of one commissioner to those of another commissioner, or to those of the treasury, and from those of the treasury to those of a commissioner.

and interest
thereon
payable
quarterly.

Sec. 8. *And be it further enacted*, That the interest upon the said stock, as the same shall become due, shall be payable quarter yearly—that is to say, One fourth part thereof on the last day of March, one other fourth part thereof on the last day of June: one other fourth part thereof on the 1

of September; and the remaining fourth part thereof on the last day of December in each year, beginning on the last day of March next ensuing; and payment shall be made wheresoever the credit of the said stock shall exist at the time such interest shall become due—that is to say: At the treasury, or where the credit for the same shall then exist on the books of the treasury, or at the office of the commissioner upon whose books such credit shall then be. But if the interest for one quarter shall not be demanded before the expiration of a third quarter, the same shall be afterwards demandable only at the treasury.

And as it may happen that some of the creditors of the United States may not think fit to become subscribers to the said loan: Non-subscribing creditors,

Sec. 9. *Be it further enacted,* That nothing in this act contained shall be construed in any wise to abridge or impair the rights of those creditors of the United States, who shall not subscribe to the said loan, or the contracts upon which their respective claims are founded; but the said contracts and rights shall remain in full force and virtue. their rights not to be impaired, &

And that such creditors may not be excluded from a participation in the benefit hereby intended to the creditors of the United States in general, the said proposed loan shall be depending, until it shall appear from the event thereof, that farther or other arrangements may be necessary respecting the said domestic debt:

Sec. 10. *Be it therefore further enacted,* That such of the creditors of the United States as may not subscribe to the said loan, shall nevertheless receive during the year one thousand seven hundred and twenty-one, a rate per centum on the respective amounts of their respective demands, including interest to the last day of December next, equal to the interest payable to subscribing creditors, to be to be paid a rate per cent. on the amount of their demands equal to the interest allowed to subscribing creditors.

All certificates in circulation, to be cancelled and new ones issued.

paid at the same times, at the same places, and the same persons as is herein before directed, concerning the interest on the stock which may be created in virtue of the said proposed loan. But as some of the certificates now in circulation have heretofore been liquidated to specie value, as many of them are greatly subject to counterfeit, and counterfeits have actually taken place in numerous instances, and as embarrassment and imposition might, for these reasons, attend the payment of interest on those certificates in their present form it shall therefore be necessary to entitle the creditors to the benefit of the said payment, that those of them who do not possess certificates issued by the Register of the Treasury, for the registered debt, should produce previous to the first day of June next, their respective certificates, either to the treasury of the United States, or to some one of the commissioners to be appointed as aforesaid to the end that the same may be cancelled, and other certificates issued in lieu thereof; which new certificates shall specify the specie amount of the debt in exchange for which they are given, and shall be otherwise of the like tenor with those heretofore issued by the said Register of the Treasury for the said registered debt, and shall be transferable on the like principles with those directed to be issued on account of the subscriptions to the loan heretofore proposed.

Commissioners their salaries.

Sec. 11. *And be it further enacted,* That the commissioners who shall be appointed pursuant to the act, shall respectively be entitled to the following yearly salaries, that is to say: The commissioner for the state of New-Hampshire, six hundred and fifty dollars: The commissioner for the state of Massachusetts, fifteen hundred dollars: The commissioner for the state of Rhode-Island and Providence Plantations, six hundred dollars: The commissioner for the state of Connecticut, one thousand dollars:

The commissioner for the state of New-York, fifteen hundred dollars : The commissioner for the state of New-Jersey, seven hundred dollars : The commissioner for the state of Pennsylvania, fifteen hundred dollars : The commissioner for the state of Delaware, six hundred dollars : The commissioner for the state of Maryland, one thousand dollars : The commissioner for the state of Virginia, seven hundred dollars : The commissioner for the state of North-Carolina, one thousand dollars : The commissioner for the state of South-Carolina, one thousand dollars : The commissioner for the state of Georgia, seven hundred dollars : Which salaries shall be in full compensation for all services and expenses.

Commissioners their salaries,

Sec. 12. *And be it further enacted,* That the said commissioners before they enter upon the execution of their several offices, shall respectively take an oath or affirmation for the diligent and faithful execution of their trust, and shall also become bound with one or more sureties to the satisfaction of the Secretary of the Treasury, in a penalty not less than one thousand, nor more than ten thousand dollars, with condition for their good behavior in their said offices respectively.

to take an oath & enter into bond.

And whereas a provision for the debts of the respective States by the United States, would be greatly conducive to an orderly economical and effectual arrangement of the public finances ;

State debts

Sec. 13. *Be it therefore further enacted,* That a loan be proposed to the amount of twenty-one million and five hundred thousand dollars, and that subscriptions to the said loan be received at the same times and places, and by the same persons, in respect to the loan herein before proposed concerning the domestic debt of the United States. And that the sums which shall be subscribed to the said loan, shall be payable in the principal and

assumed, to amount of 21,500,000 dols. and a loan proposed, payable in certificates of the states,

interest of the certificates or notes, which prior the first day of January last, were issued by the respective States, as acknowledgments or evidences of debts by them respectively owing, except certificates issued by the commissioners of army accounts in the state of North-Carolina, in the year one thousand seven hundred and eighty-six.

not exceeding a certain sum in each.

Provided, That no greater sum shall be received in the certificates of any State, than as follows that is to say :

In those of New-Hampshire, three hundred thousand dollars.

In those of Massachusetts, four million dollars.

In those of Rhode-Island and Providence Plantations, two hundred thousand dollars,

In those of Connecticut, one million six hundred thousand dollars.

In those of New-York, one million two hundred thousand dollars.

In those of New-Jersey, eight hundred thousand dollars.

In those of Pennsylvania, two million two hundred thousand dollars.

In those of Delaware, two hundred thousand dollars.

In those of Maryland, eight hundred thousand dollars.

In those of Virginia, three million five hundred thousand dollars.

In those of North-Carolina, two million five hundred thousand dollars.

In those of South-Carolina, four million dollars.

In those of Georgia, three hundred thousand dollars.

What certificates shall not be received.

And provided, That no such certificate shall be received, which from the tenor thereof, or from any public record, act, or document, shall appear

can be ascertained to have been issued for any purpose, other than compensations and expenditures for services or supplies towards the prosecution of the late war, and the defence of the United States, or some part thereof during the same.

Sec. 14. *Provided also, and be it further enacted,* That if the total amount of the sums which shall be subscribed to the said loan in the debt of any State, within the time limited for receiving subscriptions thereto, shall exceed the sum by this act allowed to be subscribed within such state, the certificates and credits granted to the respective subscribers, shall bear such proportion to the sums by them respectively subscribed, as the total amount of the said sums shall bear to the whole sum so allowed to be subscribed in the debt of such state within the same. And every subscriber to the said loan, shall, at the time of subscribing, deposit with the commissioner the certificates or notes to be issued by him.

Subscriptions exceeding the sum allowed to any state, what proportion shall be paid.

Sec. 15. *And be it further enacted,* That for two thirds of any sum subscribed to the said loan, by any person or persons, or body politic, which shall be paid in the principal and interest of the certificates or notes issued as aforesaid by the respective States, the subscriber or subscribers shall be entitled to a certificate, purporting that the United States owe to the holder or holders thereof, or his, her or their assigns, a sum to be expressed therein, equal to two thirds of the aforesaid two thirds, bearing an interest of six per centum per annum, payable quarter yearly, and subject to redemption by payments, not exceeding in one year, on account both of principal and interest, the proportion of eight dollars upon a hundred of the sum mentioned in such certificate; and to another certificate, purporting that the United States owe to the holder or holders thereof, his, her or their

Subscribers to said loan, what proportion of principal, rate of interest, and terms of payment entitled to.

assigns, a sum to be expressed therein, equal to proportion of thirty-three dollars and one tenth of a dollar upon a hundred of the said two thirds of such sum so subscribed, which after the year one thousand eight hundred shall bear an interest six per centum per annum, payable quarter yearly and subject to redemption by payments, not exceeding in one year, on account both of principal and interest, the proportion of eight dollars upon a hundred of the sum mentioned in such certificate and that for the remaining third of any sum subscribed, the subscriber or subscribers shall be entitled to a certificate, purporting that the United States owe to the holder or holders thereof, her or their assigns, a sum to be expressed therein equal to the said remaining third, bearing an interest of three per cent. per annum, payable quarterly yearly, and subject to redemption by payment of the sum specified therein whenever provision therefor be made by law for that purpose.

Interest,
how to be
computed,
and payable
quarter
yearly.

Sec. 16. *And be it further enacted,* That the interest upon the certificates which shall be received in payment of the sums subscribed towards the loan, shall be computed to the last day of the month one thousand seven hundred and ninety-one, inclusive; and the interest upon the stock which shall be created by virtue of the said loan, shall commence or begin to accrue on the first day of the year one thousand seven hundred and ninety-two, and shall be payable quarter yearly, at the same time, and in like manner as the interest on the stock to be created by virtue of the loan above proposed in the domestic debt of the United States.

Sum allow-
ed to any
state, not
being sub-
scribed, the

Sec. 17. *And be it further enacted,* That if the whole sum allowed to be subscribed in the debt certificates of any state as aforesaid, shall not be subscribed within the time for that purpose limited, such state shall be entitled to receive, and shall

ve from the United States, an interest per centum per annum, upon so much of the said sum as shall not have been so subscribed, equal to that which would have accrued on the deficiency, had the same been subscribed in trust for the non-subscribing creditors of such state, who are holders of certificates or notes issued on account of services or supplies towards the prosecution of the late war, and the defence of the United States or of some part thereof, to be paid in like manner as the interest on the stock which may be created by virtue of the said loan, and to continue until there shall be a settlement of accounts between the United States, and the individual States; and in case a balance shall then appear in favor of such State, a like provision shall be made for the said balance.

state to receive interest on amount of deficiency.

But as certain States have respectively issued their own certificates, in exchange for those of the United States, whereby it might happen that interest might be twice payable on the same sums :

Sec. 18. *Be it further enacted*, That the payment of interest whether to States or to individuals, in respect to the debt of any State, by which such exchange shall have been made, shall be suspended, until it shall appear to the satisfaction of the Secretary of the Treasury, that certificates issued for that purpose by such State, have been re-exchanged or redeemed, or until those which shall not have been so exchanged or redeemed, shall be surrendered to the United States.

State certificates issued in lieu of those of the U. States, payment of interest on, suspended.

Sec. 19. *And be it further enacted*, That so much of the debt of each state as shall be subscribed to the said loan, and the monies (if any) that shall be advanced to the same pursuant to this act, shall be a charge against such state, in account with the United States.

States chargeable with amount of subscriptions.

Sec. 20. *And be it further enacted*, That the monies arising under the revenue-laws, which have

Farther appropriation of monies arising from the revenue laws to the purposes of this act;

been or during the present session of Congress may be passed, or so much thereof as may be necessary shall be and are hereby pledged and appropriated for the payment of the interest on the stock which shall be created by the loans aforesaid, pursuant to the provisions of this act, first paying that which shall arise on the stock created by virtue of the first mentioned loan, to continue so pledged and appropriated, until the final redemption of the said stock, any law to the contrary notwithstanding, subject nevertheless to such reservations and priorities as may be requisite to satisfy the appropriations heretofore made, and which during the present session of Congress may be made by law, including the sums herein before reserved and appropriated: and to the end that the said monies may be inviolably applied in conformity to this act, an account shall be kept of the receipts and disposition thereof, separate and distinct from the product of any other duties, imposts, excises and taxes whatsoever, except such as may be hereafter laid, to make good any deficiency which may be found in the product thereof towards satisfying the interest aforesaid.

and faith of U. States pledged to make good deficiencies.

Sec. 21. *And be it further enacted*, That the faith of the United States be, and the same is hereby pledged to provide and appropriate hereafter such additional and permanent funds as may be requisite towards supplying any such deficiency, and making sufficient provision for the payment of the interest which shall accrue on the stock to be created by virtue of the loans aforesaid, in conformity to the terms thereof respectively, and according to the tenor of the certificates to be granted for the same pursuant to this act.

Proceeds from sales of western lands,

Sec. 22. *And be it further enacted*, That the proceeds of the sales which shall be made of lands in the western territory, now belonging, or th

hereafter belong to the United States, shall to form
 and are hereby appropriated towards sinking or sinking
 charging the debts, for the payment whereof fund.
 United States now are, or by virtue of this act
 be holden, and shall be applied solely to that
 until the said debts shall be fully satisfied.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, August the fourth, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XXXV.

ACT to provide more effectually for the COL-
 LECTION of the DUTIES imposed by Law on Goods,
 Wares and Merchandize imported into the United
 States, and on the Tonnage of Ships or Vessels.

Section 1. **B**E it enacted by the Senate and House of
 Representatives of the United States of
 America in Congress assembled, That for the collec-
 tion of the duties imposed by law on goods, wares
 and merchandize imported into the United States,
 and on the tonnage of ships or vessels, there shall be
 established and appointed, districts, ports and offi-
 ces in manner following—to wit:

The state of New-Hampshire shall be one district, District of
 to be called the district of Portsmouth, of which ports in N^o
 the town of Portsmouth shall be the sole port of Hampshire.
 delivery; and the towns of Newcastle, Dover and
 other, ports of delivery only: but all ships or
 vessels bound to or from either of the said ports
 of delivery, shall first come to, enter and clear
 at Portsmouth; and a collector, naval-officer and
 surveyor for the said district shall be appointed, to
 reside at Portsmouth.

Districts &
ports in
Massachu-
setts.

In the state of Massachusetts shall be twenty districts and ports of entry—to wit: Newbury Gloucester, Salem and Beverley, as one; Marblehead, Boston and Charlestown, as one; Plymouth, Barnstable, Nantucket, Edgartown, New-Bedford, Dighton, York, Biddeford and Pepperelboro as one; Portland and Falmouth, as one; and Wiscassett, Penobscot, Frenchman's Bay, Machias and Passamaquady. To the district of Newburyport shall be annexed the several towns or landing places of Almsbury, Salisbury and Northverhill, which shall be ports of delivery only; and a collector, naval-officer and surveyor for the district shall be appointed, to reside at Newburyport. To the district of Gloucester shall be annexed the town of Manchester, as a port of delivery only; and a collector and surveyor shall be appointed, to reside at Gloucester. To the district of Salem and Beverly shall be annexed the towns or landing places of Danvers and Ipswich, as ports of delivery only; and a collector, naval-officer and surveyor for the district shall be appointed, to reside at Salem, and a surveyor to reside at each of the towns of Beverly and Ipswich. To the district of Marblehead shall be annexed the town of Ipswich, as a port of delivery only; and a collector for the district shall be appointed, to reside at Marblehead. To the district of Boston and Charlestown shall be annexed the towns or landing places of Medford, Cohasset and Hingham, as ports of delivery only; and a collector, naval-officer and surveyor shall be appointed, to reside at Boston. To the district of Plymouth shall be annexed the several towns or landing places of Scituate, Duxbury and King's Lynn, as ports of delivery only; and a collector for the district shall be appointed, to reside at Plymouth. To the district of Barnstable shall be annexed the several towns or landing places of Sandwich, Bourne, Harwich, Wellfleet, Provincetown

Atham, as ports of delivery only ; and a collector for the district shall be appointed, to reside at Districts & ports in Massachusetts. Barnstable. To the district of Nantucket the port of Sherburne shall be the sole port of entry and delivery within the same, and a collector shall be appointed, to reside at Sherburne. In the district of Edgartown a collector shall be appointed, to reside at Edgartown. To the district of New-Bedford shall be annexed Westport, Rochester and Wareham, as ports of delivery only ; and a collector for the district shall be appointed, to reside at New-Bedford. To the district of Dighton shall be annexed Swansey and Freetown, as ports of delivery only ; and a collector for the district shall be appointed, to reside at Dighton. To the district of York shall be annexed Kittery and Berwick, as ports of delivery only ; and a collector for the district shall be appointed, to reside at York. To the district of Biddisford and Pepperelborough shall be annexed Scarborough, Wells, Kennebunk and the Porpoise, as ports of delivery only ; and a collector for the district shall be appointed, to reside at Biddeford. To the district of Portland and North-Yarmouth shall be annexed North-Yarmouth and South-Yarmouth, as ports of delivery only ; and a collector and surveyor shall be appointed for the district, to reside at Portland. To the district of Bath shall be annexed Hollowell, Pittstown and Topsham, as ports of delivery only ; and a collector for the district shall be appointed, to reside at Bath. To the district of Wiscasset shall be annexed Bristol, Boothbay, Warren, Thomaston and Waldoborough, as ports of delivery only ; and a collector for the district shall be appointed, to reside at Wiscasset. To the district of Penobscot shall be annexed Frankfort, Sedgwick-Point and Deer Island, as ports of delivery only ; and a collector for the district shall be appointed, to reside at Penobscot. To the district of Frenchman's Bay shall

Districts &
ports in
Massachu-
setts.

be annexed Union River, as a port of delivery on
and a collector for the district shall be appoi-
ed, to reside at Frenchman's Bay. For each
the districts of Machias and Passamaquady sh
be appointed a collector, to reside at the said po
of Machias and Passamaquady, respectively. The
district of Newburyport shall include all the wat
and shores from the state of New-Hampshire to
north line of Ipswich. The district of Glouce
shall include all the waters and shores in the tow
of Gloucester and Manchester. The district
Salem and Beverly shall include all the shores a
waters within the towns of Ipswich, Beverly, Sal
and Danvers. The district of Marblehead shall
clude all the waters and shores within the towns
Marblehead and Lynn. The district of Boston a
Charlestown shall include all the waters and sho
within the counties of Middlesex and Suffolk. T
district of Plymouth shall include all the waters a
shores within the county of Plymouth, excepting
towns of Wareham and Rochester. The distri
of Barnstable shall include all the shores and wat
within the county of Barnstable. The district
Nantucket shall include the island of Nantuck
The district of Edgartown shall include all the v
ters and shores within the county of Duke's Coun
The district of New-Bedford shall include all
waters and shores within the towns of New-Bedfo
Dartmouth, Westport, Rochester and Wareha
together with all the islands within the county
Bristol. The district of Dighton shall include
the waters and shores on Taunton river, and in t
town of Rehoboth ; and the collectors of the sev
ral districts within that part of the state of Mass
chusetts eastward of New-Hampshire, shall agre
as soon as may be, upon a divisional line betwe
their respective districts, and transmit the same
the comptroller of the treasury ; and such distric
so agreed upon, shall include all the shores, wate

and islands within the same. And in case of disagreement between any of the said collectors, concerning such divisional line, the Secretary of the Treasury shall determine the same.

In the state of Rhode-Island and Providence Plantations, there shall be two districts—to wit : the district of Newport, and the district of Providence. The district of Newport shall comprehend all the waters, shores, bays, harbors, creeks and inlets, from the west line of the said state all along the sea coast, and northward up the Narraganset Bay, as far as the most easterly part of Kinnicut Point at high water mark ; and shall include the several towns, harbors, and landing places Westerly, Charleston, South-Kingstown, North-Kingstown, East-Greenwich, and all that part of Warwick southward of the latitude of said Kinnicut Point ; and also the towns, harbors and landing places of Barrington, Warren, Bristol, Pawtucket, Little-Compton, and all the towns, harbors and landing places of the island of Rhode-Island, James Town, Prudence, New-Shoreham, and every other island and place within the said state southward of the latitude of the said Kinnicut Point. The district of Providence shall comprehend all the waters, shores, bays, harbors, creeks and inlets within the said State, northward of the latitude of Kinnicut Point. The town of Newport shall be the sole port of entry in the said district of Newport ; and a collector, naval-officer, and surveyor shall be appointed, to reside at the said town of Newport ; and North-Kingstown, East-Greenwich, Barrington, Warren, Bristol, and Pawtucket river in Westerly, shall be ports of delivery only ; and a surveyor shall be appointed, to reside at each of the ports of North-Kingstown, East-Greenwich, Warren, Bristol and Pawcatuck river, and the surveyor to reside at Warren shall be surveyor for the port of Barrington. The town of

Districts &
ports in R.
Island, &c.

Providence shall be the sole port of entry in the said district of Providence, and Patuxet in the said district shall be a port of delivery only ; and a collector, naval-officer and surveyor shall be appointed, to reside at Providence, and a surveyor shall be appointed, to reside at Patuxet.

Districts &
ports in
Connecti-
cut,

In the state of Connecticut shall be three districts to wit : New-London, New-Haven, and Fairfield. The district of New-London shall extend from the east line of the said state of Connecticut, to the west line of the town of Killingsworth, and north to the north line of the state of Massachusetts ; and shall also include the several towns or landing places of Norwich, Stonington, Groton, Lyme, Saybrook, Haddam, East-Haddam, Middletown, Chatham, Weathersfield, Glastenbury, Hartford, East-Hartford, Windfor, East-Windfor, and Killingsworth as ports of delivery only ; New-London to be the sole port of entry ; and a collector and surveyor for the district shall be appointed, to reside at New-London and a surveyor to reside at each of the ports of Stonington and Middletown. The district of New-Haven shall extend from the west line of the district of New-London, westerly to Ousatumnick river ; which shall be annexed the several towns or landing places of Guildford, Branford, Milford and Derby, as ports of delivery only ; New-Haven to be the sole port of entry ; and a collector and surveyor for the district shall be appointed, to reside at New-Haven. The district of Fairfield shall include all the ports and places in the said state of Connecticut west of the district of New-Haven ; which shall be annexed the several towns or landing places of Norwalk, Stratford, Stamford, and Greenwich, as ports of delivery only ; Fairfield to be the sole port of entry ; and a collector for the district shall be appointed, to reside at Fairfield. And New-London, New-Haven, and Fairfield, shall severally be ports of entry.

In the state of New-York shall be two districts—
 wit: Sagg-Harbor on Nassau or Long-Island,
 and the city of New-York, each of which shall be
 a port of entry. The district of Sagg-Harbor shall
 include all bays, harbors, rivers and shores within
 the two points of land which are called Oyster
 Point, and Montauk Point; and a collector
 for the district shall be appointed, to reside at Sagg-
 Harbor, which shall be the only place of delivery
 in the said district. The district of the city of
 New-York shall include such part of the coasts,
 rivers, bays and harbors of the said State, not in-
 cluded in the district of Sagg-Harbor; and moreover
 several towns or landing places of New-Windsor,
 Newburgh, Poughkeepsie, Esopus, city of Hudson,
 Kinderhook, and Albany, as ports of delivery only;
 and a naval-officer, collector and surveyor for the
 district shall be appointed, to reside at the city of
 New-York; also two surveyors, one to reside at
 the city of Albany, and the other at the city of
 Hudson; and all ships or vessels bound to or from
 any port of delivery within the last named district,
 shall be obliged to come to, and enter or clear out
 at the city of New-York.

Districts &
 ports in
 N. York.

In the state of New-Jersey shall be four districts—
 wit: Perth-Amboy, Burlington, Bridgetown,
 and Great Egg-Harbor, which shall severally be
 ports of entry. The district of Perth-Amboy shall
 comprehend all that part of the state of New-Jersey,
 known by the name of East New-Jersey (that part
 excepted which is hereafter included in the district
 of Burlington) together with all the waters thereof
 heretofore within the jurisdiction of the said State;
 and which district the towns or landing places of
 New-Brunswick, Middletown-Point, Elizabeth-
 town, and Newark, shall be ports of delivery only;
 and a collector for the district shall be appointed,
 to reside at Perth-Amboy. The district of Burling-

Districts &
 ports in
 N. Jersey.

Districts &
ports in
New-Jersey

ton shall comprehend that part of the said State known by the name of West New-Jersey, which lies to the eastward and northward of the county of Gloucester, with all the waters thereof heretofore within the jurisdiction of the said State, including the river and inlet of Little Egg-Harbor with the waters emptying into the same, and the sea-coast, sound, inlets and harbors thereof, from Barnegat inlet to Brigantine inlets, in which district the landing places of Lambertton and Little Egg-Harbor shall be ports of delivery only; and a collector shall be appointed for the district, to reside at Burlington, and a surveyor at Little Egg Harbor. The district of Bridgetown shall comprehend the counties of Gloucester, Salem, Cumberland, and Cape-May (such part of the counties of Gloucester and Cape-May as shall be herein after included in the district of Great Egg-Harbor, excepted) and all the waters thereof heretofore within the jurisdiction of the said State; and the towns of Salem and Port-Elizabeth, on Maurice river, shall be ports of delivery only; and a collector shall be appointed, to reside at Bridgetown. The district of Great Egg-Harbor shall comprehend the river of Great Egg-Harbor, together with all the inlets, bays, sound, rivers and creeks, along the sea coast from Brigantine inlet to Cape-May; and a collector shall be appointed, to reside at Somers's Point on the said river of Great Egg-Harbor.

District and
port in
Pennsylvania.

The state of Pennsylvania shall be one district, and Philadelphia shall be the sole port of entry and delivery for the same; and a collector, naval-officer and surveyor for the district shall be appointed, to reside at the said port of Philadelphia.

District and
ports in
Delaware.

The state of Delaware shall be one district, and the borough of Wilmington shall be the port of entry, to which shall be annexed Newcastle and Port Penn, as ports of delivery only; and a collector

for the district shall be appointed, to reside at the said port of Wilmington.

In the state of Maryland shall be nine districts—
 Districts & ports in Maryland.
 wit : Baltimore, Chester, Oxford, Vienna, Snow-Hill, Annapolis, Nottingham, Cedar-Point, and George-Town. The district of Baltimore shall include Patapsco, Susquehannah, and Elk rivers, and all the waters and shores on the west side of Chesapeake-Bay, from the mouth of Magetty-river to the south side of Elk river, inclusive, in which Havre de Grace and Elkton shall be ports of delivery only ; and a collector, naval-officer and surveyor shall be appointed for the said district, to reside at the town of Baltimore, which shall be the sole port of entry. The district of Chester shall include Chester river, and all the waters and shores on the eastern side of Chesapeake-Bay, from the south side of Elk river to the north side of the Eastern-Bay, and Wye river, inclusive ; in which Georgetown on Sassafras river, shall be a port of delivery only ; and a collector for the district shall be appointed, to reside at Chester, which shall be the sole port of entry. The district of Oxford shall include all the waters and shores on the eastern side of Chesapeake-Bay, from the north side of Wye river and the Eastern-Bay, to the south side of Great Choptank river, inclusive ; and Cambridge shall be a port of delivery only ; and a collector for the district shall be appointed, to reside at Oxford, which shall be the sole port of entry. The district of Vienna shall include all the waters and shores on the eastern side of Chesapeake-Bay, from the south side of Great Choptank river, to the south side of Hooper's Strait, Haynes's Point and Wicomico river, inclusive ; and Salisbury shall be the port of delivery only ; and a collector for the district shall be appointed, to reside at Vienna, which shall be the sole port of entry. The district of

Districts &
ports in
Maryland.

Snowhill shall include all the waters and shores on the sea-coast, from the north line of Virginia, the south line of Delaware, together with all the waters and shores on the eastern side of Chesapeake Bay, from the south side of Wicomico river, to the south side of Pocomoke river, inclusive, so far as the jurisdiction of the said state of Maryland extends; to which Sinnipuxent shall be a port of delivery for West-India produce only; and a collector for the district shall be appointed, to reside at Snowhill, which shall be the sole port of entry. The district of Annapolis shall include Magee's river, and all the waters and shores from thence to Drum-Point, on Patuxent river; and a collector for the district shall be appointed, to reside at Annapolis, which shall be the sole port of entry and a port of delivery for the same. The district of Nottingham shall include all the waters and shores on the western side of Chesapeake-Bay, to Drum-Point, on Patuxent river, together with the said river, and all the navigable waters emptying into the same, to which Benedict, Lower Marlborough, Town Creek, and Sylvey's Landing, shall be annexed as ports of delivery only; a collector for the district shall be appointed, to reside at Nottingham, and a surveyor at Town Creek; and Nottingham shall be the sole port of entry. The district of Cedar Point shall include all the waters of Potowmack within the jurisdiction of the state of Maryland, from Point-look-out to Pomonky Creek, inclusive, to which Nanjemoy, Saint Mary's and Lewellenburg, shall be annexed as a port of delivery only, and a collector for the district shall be appointed to reside at Cedar Point; also a surveyor to reside at each of the ports of Saint Mary's and Lewellenburg; and Cedar Point shall be the sole port of entry. The district of Georgetown shall include all the waters and shores from Pomonky Creek, on the north side of Potowmack river, to the head

the navigable waters of the said river within the jurisdiction of the state of Maryland; to which Igges's landing and Carrolsburg shall be annexed as ports of delivery only; and a collector for the district shall be appointed, to reside at Georgetown, which shall be the sole port of entry.

In the state of Virginia shall be twelve districts— Districts & ports in Virginia.

First: Hampton as one port; Norfolk and Portsmouth as one port; Bermuda Hundred and City Point as one port; Yorktown, Tappahannock, Rappahannock river, including Kinfales, Dumfries, including Newport, Alexandria, Foley-Landing, Ferrystone, South Quay, and Louisville. The authority of the officers at Hampton shall extend over all the waters, shores, bays, harbors and inlets, between the south side of the mouth of York river, along the west shore of Chesapeake-Bay to Hampton, and thence up James river to the west side of Chickahominy river; and a collector shall be appointed, to reside at Hampton, which shall be the sole port of entry. To the district of Norfolk and Portsmouth shall be annexed Suffolk and Smithfield as ports of delivery only; and the authority of the officers of the said district shall extend over all the waters, shores, bays, harbors and inlets comprehended within a line drawn from Cape Henry to the mouth of James river, and thence up James river to Jordan's point, and up Elizabeth river to the highest tide water thereof; and Norfolk and Portsmouth shall be the sole port of entry; and a collector, naval-officer and surveyor for the district shall be appointed, to reside at Norfolk; and a surveyor to reside at each of the ports of Suffolk and Smithfield. To the district of Bermuda Hundred or City Point, shall be annexed Richmond, Petersburg, and Manchester, as ports of delivery only; and a collector and surveyor shall be appointed, to reside at Bermuda Hundred or City Point, which shall be the sole port of entry;

Districts &
ports in
Virginia.

also a surveyor for Petersburg to reside thereat, a surveyor for Richmond and Manchester to reside at Richmond; and the authority of the officers the said district shall extend over all the waters, shores, bays, harbors and inlets, comprehended between Jordan's point and the highest tide water James and Appamattox rivers. To the district Yorktown shall be annexed West-Point and Cumberland as ports of delivery only; and a collector for the district shall be appointed, to reside at Yorktown, which shall be the sole port of entry; and a surveyor for the two ports of delivery, to reside at West-Point; and the authority of the officers the said district shall extend over all the waters, shores, bays, harbors and inlets, comprehended between the point forming the south shore of the mouth of Rappahannock river, and the point forming the south shore of the mouth of York river and thence up the said river to West-Point, and thence up Pamunkey and Mattapony rivers to the highest navigable waters thereof. To the district of Tappahannock shall be annexed Urbanna, Port Royal, and Fredericksburg (including Falmouth as ports of delivery only; and a collector for the district shall be appointed, to reside at Tappahannock, which shall be the sole port of entry; also surveyor for each of the ports of Urbanna, Port Royal, and Fredericksburg; and the authority of the officers of the said district shall extend over all the waters, shores, bays, harbors and inlets, comprehended between Smith's point, at the mouth of Potowmack river, and the point forming the south shore of the mouth of Rappahannock river and thence up the last mentioned river to the highest tide water thereof. The district of Yeocomic river including Kinfales, shall extend from Smith's Point on the south side of Potowmack river, to Boyd's Hole on the same river, including all the waters, shores, bays, rivers, creeks, harbors and

ports along the south shore of Potowmack river to Boyd's Hole aforesaid; and Yeocomico including Ansale, shall be the sole port of entry; and a collector shall be appointed to reside on Yeocomico river. The district of Dumfries including New-Port, shall extend from Boyd's Hole to Cockpit-Point on the south side of Potowmack river; and a collector shall be appointed, to reside at Dumfries, which shall be the sole port of entry; and the authority of the officers of this district shall extend over all the waters, shores, bays, harbors and inlets comprehended between Boyd's Hole and Cockpit-Point aforesaid. For the district of Alexandria shall be appointed a collector and surveyor, to reside at Alexandria, which shall be the sole port of entry; and the authority of the officers of the said district shall extend over all the waters, shores, bays, harbors and inlets on the south side of the river Potowmack, from the last mentioned Cockpit-Point to the highest tide water of the said river. For the district of Foley Landing shall be appointed a collector, who shall reside at Accomack Court-house, whose authority shall extend over all the waters, shores, bays, harbors and inlets of the county of Accomack. For the district of Cherrystone shall be appointed a collector, to reside at Cherrystone, whose authority shall extend over all the waters, shores, bays, harbors and inlets comprehended within Northampton county. For the district of North Quay a collector shall be appointed, to reside thereat, whose authority shall extend over all the waters, shores, bays, harbors and inlets in that part of Virginia, comprehended within the limits of the State. For the district of Louisville a collector shall be appointed, to reside thereat, whose authority shall extend over all the waters, shores and inlets included between the rapids and the mouth of the Ohio river on the south side thereof.

Districts &
ports in
Virginia.

Districts &
ports in
N. Carolina.

In the state of North-Carolina shall be five districts: one to be called the district of Wilmington, and to comprehend all the waters, shores, bays, harbors, creeks and inlets, from Little River inlet, inclusive, to New River inlet, inclusive: another to be called the district of Newbern, and to comprehend all the waters, shores, bays, harbors, creeks and inlets, from New River inlet, exclusive, to Ocracoke inlet, inclusive, together with that part of Pampticoe sound which lies southward: westward of the shoal projecting from the mouth of Pampticoe river towards the Royal Shoal, and southward of the said Royal Shoal. Another to be called the district of Washington, and to comprehend all that part of Pampticoe sound not included in the district of Newbern, as far north as Marshes. Another to be called the district of Edenton, and to comprehend all the waters, bays, harbors, creeks and inlets, from the Marshes, inclusive, northward and westward, except those included in the district of Cambden. The other to be called the district of Cambden, and to comprehend the North River, Pasquotank and Little Rivers, all the waters, shores, bays, harbors, creeks and inlets, from the junction of Currituck and Albemarle sounds to the north extremity of Back-I. That in the district of Wilmington, the town of Wilmington shall be a port of entry and delivery, and there shall be a collector, naval-officer and surveyor, to reside at the said town of Wilmington. That in the district of Newbern, the town of Newbern shall be a port of entry and delivery, and the towns of Beaufort and Swanborough shall be ports of delivery only, and there shall be a collector to reside at Newbern, and a surveyor to reside at Beaufort, and one at Swanborough. That in the district of Washington, the town of Washington shall be the sole port of entry and delivery, and there shall be a collector to reside within

That in the district of Edenton, the town of Edenton shall be a port of entry and delivery, Hertford, Murfreesborough, Princeton, Winton, Bennet's Creek, Plymouth, Windfor and Skewarkey, ports of delivery; and there shall be a collector to reside at the town of Edenton, and a surveyor at each of the ports of Hertford, Winton, Bennet's Creek, Plymouth, Windfor and Skewarkey; and one at Murfreesborough, for said port for Princeton. That all ships or vessels intended to proceed to Plymouth, Windfor, Skewarkey, Winton, Bennet's Creek bridge, Murfreesborough, Princeton, shall first come to and enter at the town of Edenton. That in the district of Cambden, Plankbridge on Sawyer's Creek, shall be the port of entry and delivery, and Nixonton, Indiantown, Newbiggin Creek, Currituck inlet, Pasquotank River bridge, ports of delivery; and there shall be a collector at Plankbridge on Sawyer's Creek, a surveyor at each of the ports of Nixonton, Indiantown, Currituck inlet, Pasquotank River bridge, and Newbiggin Creek; and that the authority of the officers of each district shall extend to all the waters, shores, bays, harbors, creeks, rivers and inlets comprehended within such district. *Provided*, That any vessels coming in at Ocracoke, that may be under the necessity of employing pilots before they pass the Royal Shoal, may be at liberty to enter at any port of entry connected with the waters of said inlet, to which such vessels are bound. And that any vessel coming in at the said Royal Shoal, in ballast, with the purpose of loading without the Royal Shoal, shall be at liberty to enter at any port of entry connected with the waters of the said

Districts
and ports in
N. Carolina.

the state of South-Carolina, shall be three districts—to wit: Georgetown, Charleston, and Beaufort, each of which shall be a port of entry. The district of Georgetown shall include the shores,

Districts
and ports in
S. Carolina.

Districts
and ports in
S. Carolina.

inlets and rivers, from the boundary of North-Carolina to the point of Cape Romain. The district of Charleston shall include all the shores, inlets and rivers, from Cape Romain to Combahee river inclusive: and the district of Beaufort shall include the shores, inlets and rivers, from Combahee river to Back river in Georgia, comprehending also the shores, inlets and harbors formed by the different bars and sea islands lying within each district respectively. At the port of Charleston shall be a collector, naval-officer and surveyor; and a collector at each of the other ports.

Districts
and ports in
Georgia.

In the state of Georgia shall be four districts to wit: Savannah, Sunbury, Brunswick, and Saint Mary's, each of which shall be a port of entry. The district of Savannah shall include Savannah river and all the waters, shores, harbors, rivers, creeks, bays, and inlets, from the said river to the north point of Oflabaw island, and Great Ogeechee river inclusive; and a naval-officer, collector and surveyor shall be appointed for the said district, to reside at Savannah. The district of Sunbury shall comprehend all the waters, shores, harbors, rivers, creeks, bays and inlets, south of the north point of Oflabaw island and Great Ogeechee river, exclusive, and north of the south point of Sapelo island, inclusive, and a collector for the said district shall be appointed to reside at Sunbury. The district of Brunswick shall comprehend all the waters, shores, harbors, rivers, creeks, bays and inlets, from the south point of Sapelo island, exclusive, to the south point of Jekyll island, inclusive: Frederica shall be a port of delivery only; and a collector for the said district shall be appointed, to reside at Brunswick. The district of Saint Mary's shall comprehend all the waters, shores, harbors, rivers, creeks, bays, and inlets, from the south point of Jekyll island, exclusive, to Saint Mary's river, inclusive; and a collector for the said district shall be appointed

side at Saint Mary's: and in each of the said districts it shall be lawful for the collector to grant a permit to unlade at any port or place within the district, and to appoint or put on board any ship or vessel for which a permit is granted, one or more officers or inspectors as may be necessary for the security of the revenue.

Sec. 2. *And be it further enacted*, That it shall not be lawful to make entry of any ship or vessel which shall arrive from any foreign port or place within the United States, or of the cargo on board such ship or vessel elsewhere than at one of the ports of entry herein before established, nor to unlade the said cargo, or any part thereof, elsewhere than at one of the ports of delivery herein established:

Provided always, That every port of entry shall be a port of delivery: *And provided further*,

That none but ships or vessels of the United States shall be admitted to unlade at any other than the

ports following—to wit: Portsmouth, in the state

New-Hampshire: Portland and Falmouth, New-

Burford, Dighton, Salem and Beverly, Gloucester,

Newburyport, Marblehead, Sherburne, Boston

and Charlestown, Plymouth, Bath, Frenchman's-

Bay, Wiscasset, Machias, and Penobscot, in the state

Massachusetts: Newport and Providence, in the

state of Rhode-Island and Providence Plantations:

New-London and New-Haven, in the state of Con-

necticut: New-York, in the state of New-York:

North-Amboy, and Burlington, in the state of New-

Jersey: Philadelphia, in the state of Pennsylvania:

Wilmington, Newcastle and Port-Penn, in the state

Delaware: Baltimore, Annapolis, Vienna, Ox-

ford, Georgetown on Potowmack, Chestertown,

Swan-Creek, Nottingham, Cedar-Point, Digges's

Landing, Snowhill, and Carrollburgh, in the state

Maryland: Alexandria, Kirtale, Newport, Tap-

scannock, Port-Royal, Fredericksburg, Urban-

Yorktown, West-Point, Hampton, Bermuda-

Ports of entry to be ports of delivery
Ports of delivery to which foreign vessels are restricted.

Hundred, City-Point, Rocket's Landing, Norfolk, and Portsmouth, in the state of Virginia: Wilmington, Newbern, Washington, Edenton, and Plankbridge, in the state of North-Carolina: Charleston, Georgetown, and Beaufort, in the state of South-Carolina: and in either of the districts Savannah, Sunbury, Brunswick, Frederica, and Saint Mary's, in the state of Georgia; or to make entry in any other district than in one in which they shall be so admitted to unlade: *And provided lastly*, That no ship or vessel arriving from the Cape of Good Hope, or from any place beyond the said Cape, shall be admitted to make entry at any other than the ports following—to wit: Portsmouth, in the state of New-Hampshire: Boston and Charlestown, Newburyport, Salem and Beverly, Gloucester, Portland and Falmouth, in the state of Massachusetts: Newport, and Providence, in the state of Rhode-Island and Providence Plantations: New-London and New-Haven, in the state of Connecticut: New-York, in the state of New-York: Perth-Amboy, in the state of New-Jersey: Philadelphia, in the state of Pennsylvania: Wilmington, in the state of Delaware: Baltimore, Annapolis, and Georgetown, in the state of Maryland: Alexandria, Norfolk, and Portsmouth, in the state of Virginia: Wilmington, Newbern, Washington, and Edenton, in the state of North-Carolina: Charleston, Georgetown, Beaufort, in the state of South-Carolina: Sunbury, and Savannah, in the state of Georgia: *And provided*, That nothing herein contained shall prevent the master or commander of any ship or vessel, from making entry with the collector of any district in which such ship or vessel may be owned, or from which she may have sailed on the voyage from which she shall then have returned.

Ports of entry to which vessels arriving from the Cape of G. Hope or beyond it are restricted.

Sec. 3. *And be it further enacted*, That the master or commander of every ship or vessel bound to a port of delivery only, in any of the following

districts—to wit: Portland and Falmouth, Bath, Lewburyport, New-London, (except the port of Stonington, in the said district) Norfolk and Portsmouth, Bermuda-Hundred and City-Point, Yorktown, or Tappahannock, (except the port of Urbanna, in the said district) and Edenton, shall first come to at the port of entry of such district, with his ship or vessel, and there make report or entry, and pay, or secure to be paid, all legal duties, port fees and charges in manner by this act provided, before each ship or vessel shall proceed to her port of delivery; and that any ship or vessel bound to a port of delivery in any district other than those above-mentioned, or to either of the ports of Stonington or Urbanna, may first proceed to her port of delivery, and afterwards make report or entry within the time by this act limited.

Ports of delivery to which vessels bound shall first come to at the port of entry.

Sec. 4. *And be it further enacted*, That the master or commander of every ship or vessel, if bound to the district of Nottingham, shall, before he pass the port of Town-Creek, and immediately after his arrival, deposit with the surveyor of the said port, a true manifest of the cargo on board such ship or vessel: if bound to the district of Tappahannock, shall, before he pass by the port of Urbanna, and immediately after his arrival, deposit with the surveyor for that port a like manifest: if bound to the district of Bermuda-Hundred or City-Point, shall, before he pass by Elizabeth-River, and immediately after his arrival, deposit with the collector of the port of Norfolk and Portsmouth, or with the collector of the port of Hampton, a like manifest: and if bound to the district of Southwary, shall, before he pass by the port of Edenton, and immediately after his arrival, deposit with the collector of the port of Edenton, a like manifest. And the said surveyors and collectors respectively, shall, after registering the manifests, transmit the same, duly certified to have been so deposited, to

Districts to which vessels bound shall not pass certain ports without delivering a manifest.

Penalty for neglecting to deposit manifest.

the officer with whom the entries are to be made. And if the master or commander of any ship or vessel shall neglect or omit to deposit a manifest in the manner aforesaid, and as the case shall require, shall forfeit and pay five hundred dollars, to be recovered with costs of suit, one half to the use of the officer with whom such manifest ought to have been deposited, and the other half to the use of the collector of the district to which the said ship or vessel may be bound: *Provided*, That if manifest shall have been in either of the said cases previously delivered to any officer of the customs, pursuant to the provision hereinafter to be made in that behalf, the depositing of a manifest as aforesaid shall not be necessary: *And provided also*, That no master or commander of any ship or vessel which was absent from the United States on the first day of May last, and which has not since returned within the same, or of any ship or vessel not owned wholly or in part by a citizen or inhabitant of the United States, shall incur the said penalty, if he shall make oath or affirmation that he had no knowledge of or information concerning the regulation herein contained, unless it can be otherwise proved that he had such knowledge or information.

Officers to be appointed in pursuance of this act to take an oath;

Sec. 5. *And be it further enacted*, That all officers and persons to be appointed pursuant to this act before they enter upon the duties of their respective offices, shall severally take an oath diligently and faithfully to execute the duties of their said offices respectively, and to use their best endeavors to prevent and detect frauds in relation to the duties imposed by the laws of the United States: which oath, if taken by a collector, may be taken before any magistrate authorized to administer oaths within the district to which he belongs; but if taken by another, shall be taken before the collector of his district, and being certified under the hand and seal of the person by whom the same shall have been

administered, shall, within three months thereafter be transmitted to the comptroller of the treasury ; in default of taking which oath, the party failing shall forfeit and pay two hundred dollars, to be recovered with costs of suit, in any court of competent jurisdiction, to the use of the United States. penalty in default thereof.

Sec. 6. *And be it further enacted,* That the several officers of the customs shall respectively perform the duties following—to wit : At such of the ports which there shall be appointed a collector, naval-officer and surveyor, the collector shall receive all reports, manifests and documents, to be made or exhibited on the entry of any ship or vessel, according to the regulations of this act ; shall record in books to be kept for that purpose, all such manifests ; shall receive the entries of all ships and vessels, and of the goods, wares and merchandize imported in them ; shall, together with the naval-officer, where there is one, or alone where there is none, estimate the amount of the duties payable thereupon, endorsing the said amount upon the respective entries ; shall receive all monies paid for duties, and take all bonds for securing the payment thereof ; shall grant all permits for the unloading and delivery of goods ; shall employ proper persons as weighers, gaugers, measurers and inspectors at the several ports within his district ; and shall provide at the public expence, and with the approbation of the principal officer of the treasury department, store-houses for the safe-keeping of goods, and such scales, weights and measures as may be necessary. The naval-officers shall receive copies of all manifests ; shall, together with the collector, estimate the duties on all goods, wares and merchandize subject to duty, keeping a separate record thereof ; and shall countersign all permits, clearances, certificates and debentures to be granted by the collector. The surveyor shall superintend and direct all inspectors, weighers, measurers and gaugers within his district ; Duties of the collector,
naval-officer
and
surveyor.

shall visit and inspect the ships or vessels which arrive within his district, and shall have power put on board each of them one or more inspectors; shall ascertain the proofs of distilled spirits, and those which shall be of the proof of twenty-four grees as of Jamaica proof; and shall examine whether the goods imported in any ship or vessel, the deliveries thereof, are conformable to the tries of such goods and the permits for landing same; and the said surveyor shall in all cases be subject to the controul of the collector. And at such ports to which a collector and surveyor are assigned, the said collector shall solely execute all the duties in which the co-operation of the naval-officer is requisite at the ports where a naval-officer shall be appointed, which he shall also do in case of the disability or death of the naval-officer. And at the ports to which a collector only is assigned, the collector shall solely execute all the duties in which the co-operation of the naval-officer is requisite as aforesaid: and shall also, as far as may be, perform all the duties prescribed to surveyors at the ports where such officers are established. And at ports to which surveyors only are assigned, every surveyor shall perform all the duties herein before enjoined upon surveyors; and shall also receive and record the copies of all manifests which shall be transmitted to him by the collector; shall record the permits granted by such collector, distinguishing the guage, weight, measure and quality of the goods specified therein; and shall take care that no goods be unladen or delivered from any ship or vessel without a proper permit for that purpose. And at such ports of delivery only to which no surveyor is assigned, it shall be lawful for the collector of the district occasionally and from time to time to employ a proper person or persons to do the duties of a surveyor, who shall be entitled to the like competition with inspectors, during the time they shall

Further duties of surveyor and collector.

Collector may occasionally employ a surveyor,

employed. And the said collectors, naval-officers and surveyors shall respectively attend in person at the ports to which they are respectively assigned; and shall keep fair and true accounts and records of their transactions as officers of the customs, in such manner and form as may be directed by the proper department, or officer having the superintendance of the collection of the revenue of the United States; and shall at all times submit their books, papers and accounts to the inspection of such persons as may be appointed for that purpose. And the said collectors shall at all times pay to the order of the officer who shall be authorized to direct the payment thereof, the whole of the monies which they may respectively receive by virtue of this act (such monies as they are otherwise by this act directed to pay only excepted); and shall also once every three months, or oftener if they shall be required, transmit their accounts for settlement to the officer or officers whose duty it shall be to make such settlement.

Collectors, naval officers and surveyors to keep books.

Collectors to pay all monies received, and settle their accounts every three months.

Sec. 7. *And be it further enacted*, That every collector, naval-officer and surveyor, in cases of occasional and necessary absence, or of sickness, and in otherwise, may respectively exercise and perform their several powers, functions and duties, by deputy duly constituted under their hands and seals respectively, for whom in the execution of the trust they shall respectively be answerable.

Collectors, naval-officers and surveyors may appoint deputies.

Sec. 8. *And be it further enacted*, That in case of the disability or death of a collector, the duties and authorities vested in him shall devolve on his deputy, if any there be at the time of such disability or death (for whose conduct the estate of such disabled or deceased collector shall be liable): And in defect of a deputy, the said authorities and duties shall devolve upon the naval-officer of the same district, if any there be; and if there be no naval-

Duties of a deputy collector.

Collector
may nomi-
nate a sur-
veyor.

officer, upon the surveyor of the port appointed for the residence of such disabled or deceased collector, if any there be; and if none, upon surveyor of the port nearest thereto, and within same district. And in every case of the death or disability of a surveyor, it shall be lawful for collector of the district to nominate some fit person to perform his duties and exercise his authorities. And the authorities of the persons here empowered to act in the stead of those who may be disabled or dead, shall continue until successor shall be duly appointed, and ready to enter upon the execution of their respective offices.

Masters of
vessels from
foreign
ports, to
have mani-
fests of their
cargo.

Sec. 9. *And be it further enacted*, That from and after the first day of October next, no goods, wares or merchandize shall be brought into the United States from any foreign port or place, in any ship or vessel belonging in the whole or in part to a citizen or citizens, inhabitant or inhabitants of the United States, unless the master or person having the charge or command of such ship or vessel shall have on board a manifest or manifests in writing signed by such master or other person, containing the name or names of the port or ports, place or places where the goods in such manifest or manifests mentioned, shall have been respectively taken on board, and the port or ports, place or places within the United States for which the same shall be respectively consigned or destined, and the name and built of such ship or vessel, and the true measurement or tonnage thereof according to the register of the same, together with the name of the master or other person having the command and charge of such ship or vessel, and the port or place to which such ship or vessel truly belongs, and a just and particular account of all the cargo so laden or taken on board, whether in packages or stowage loose, together with the marks and numbers, words at length, of the said packages respectively.

h a description of each, as whether leaguer, ke, butt, puncheon, hoghead, barrel, case, bale, cask, truss, chest, box, bundle, or other cask or package, describing the same by its usual name or nomination.

Sec. 10. *And be it further enacted,* That if any goods, wares or merchandize shall, after the said day of October next, be imported or brought to the United States, in any ship or vessel whatever, belonging in the whole or in part to a citizen or citizens, inhabitant or inhabitants of the United States, from any foreign port or place, without such manifest or manifests in writing, or shall not be indented and described therein, or shall not agree therewith, in every such case the master or other person having the command or charge of such ship or vessel, shall forfeit a sum of money equal to the value of such goods, not included in such manifest or manifests : *Provided always,* That if it shall be made to appear to the satisfaction of the collector, naval-officer and surveyor, or the major part of them, where those offices are established at any port, or to the satisfaction of the collector alone, where either of the other of the said offices is not established, or to the satisfaction of the court in which a trial shall be had concerning such forfeiture, that no part of the cargo of such ship or vessel shall have been unshipped, after it was taken on board, except such as shall have been specified and accounted for in the report of the master or other person having the charge or command of such ship or vessel, and that the manifest or manifests had not been lost or mislaid, without fraud or collusion, or that the same was or were defaced by accident, or corrected by mistake, in every such case the forfeiture aforesaid shall not be incurred.

Forfeiture
of the value
of goods not
included in
said mani-
fest.

Restitution
of them if
the mani-
fests are lost

Sec. 11. *And be it further enacted,* That every master or other person having the charge or com-

Masters of
vessel to de-
liver mani-
fests to the
officer who
shall first go
on board,

mand of any ship or vessel belonging in the whole or in part to a citizen or citizens, inhabitant or inhabitants of the United States, laden with goods as aforesaid, and bound to any port or place in the United States, shall on his arrival within four leagues of the coast thereof, or within any of the bays, harbors, ports, rivers, creeks or inlets thereof, upon demand, produce such manifest or manifests in writing, which such master or other person is herein before required to have on board his said ship or vessel, to such officer or officers of the customs, as shall first come on board his said ship or vessel, for his or their inspection, and shall deliver to such officer or officers a true copy or copies thereof (which copy or copies shall be provided and subscribed by the said master or other person having the command or charge of such ship or vessel); and that the officer or officers to whom the original manifest or manifests shall have been produced, shall respectively certify upon the back thereof, that the same was or were produced, and the day and year on which the same was or were produced, and that such copy or copies as aforesaid, was or were to him or them delivered, and shall likewise certify upon the back of such copy or copies, the day and year on which the same was or were delivered, and shall forthwith transmit such copy or copies to the respective collectors of the several districts, to which the goods by such manifest or manifests shall appear respectively to be consigned; and that the said master or other person so having the charge or command of any such ship or vessel, shall in like manner produce to the officer or officers of the customs who shall first come on board such ship or vessel upon her arrival within the limits of any district of the United States, in which the cargo or any part thereof is intended to be discharged or landed, for his or their inspection, such manifest or manifests as aforesaid, and shall also

the delivery
of which
shall be cer-
tified there-
in by such
officer;

her to him or them a true copy or copies thereof, (such copy or copies also to be provided and subscribed by the said master or other person having the charge or command of such ship or vessel) the production of which said manifest or manifests, and the delivery of which said copy or copies thereof shall also be certified by the said officer or officers of the customs who shall so first come on board the said ship or vessel on her arrival within the limits of any such district, upon the back of the said original manifest or manifests, with the particular day and year when such manifest or manifests was or were produced to such officer or officers, and when or they so received the said copy or copies thereof; and such officer or officers is and are hereby required forthwith to transmit or cause to be transmitted, the said copy or copies of the said manifest or manifests to the collector of that district, and the said master or person having the charge or command of the said ship or vessel, shall afterwards produce and deliver the said original manifest or manifests to the said collector. *Provided always,* that nothing herein contained shall be construed to require of such master or other person having the charge or command of such ship or vessel, the delivery of more than one copy of each manifest to the officer or officers aforesaid, who shall first come on board of such ship or vessel, within four leagues of the coast of the United States aforesaid, and one other copy to such officer or officers as shall first come on board, within the limits of any district in which the cargo of such ship or vessel or some part thereof shall be consigned or destined; or shall be construed to require the delivery of any such copy to any other officer; but it shall be sufficient in respect to any such other officer, to produce and show to him the said original manifest or manifests, and the certificate or certificates thereupon.

and another
manifest to
the officer of
the district
to which he
is bound.

Penalty on
neglect
thereof.

Sec. 12. *And be it further enacted,* That if the master or other person having the charge or command of any ship or vessel laden as aforesaid, and bound to any port or place in the United States shall not upon his arrival within four leagues of the coast thereof, or within the limits of any district thereof, where the cargo of such ship or vessel or any part thereof is intended to be discharged, produce such manifest or manifests in writing, to the proper officer or officers upon demand thereof, and also deliver such copy or copies thereof as aforesaid according to the directions of this act in each case or shall not give an account of the destination of such ship or vessel, which he is hereby required to do, upon request of such officer or officers, or shall give a false account of the said destination, in order to evade the production of the said manifest or manifests, the said master or other person having the charge or command of such ship or vessel, shall forfeit for every such refusal, neglect or offence, a sum not exceeding five hundred dollars. And if such officer or officers first coming on board, in each case within the distance or limits aforesaid, shall neglect or refuse to certify on the back of such manifest or manifests, the production thereof, and the delivery of such copy or copies respectively as are herein before directed to be delivered to such officer or officers; every such officer, so neglecting or refusing shall forfeit and pay the sum of one hundred dollars.

Penalty on
the officer
for refusing
or neglecting
to certify
manifests

Penalty for
unlading
goods without
authority, and

Sec. 13. *And be it further enacted,* That if at the arrival of any ship or vessel so laden with goods as aforesaid, and bound to the United States, within the limits of any of the districts of the United States, or within four leagues of the coast thereof, any part of the cargo of such ship or vessel shall be unladen for any purpose whatever, from out of such ship or vessel as aforesaid, within the limits or distance aforesaid, before such ship or vessel shall

come to the proper place for the discharge of her cargo or some part thereof, and shall be there duly authorized by the proper officer or officers of the customs, to unlade the same, the master or other person having the charge or command of such ship or vessel, and the mate or other person next in command, shall respectively forfeit and pay the sum of one thousand dollars; and the goods, wares and merchandize so unladen and unshipped, shall be forfeited and lost, except in the case of some unavoidable accident, necessity or distress of weather; and in the case of such unavoidable accident, necessity or distress, the master or other person having the charge or command of such ship or vessel, shall give notice thereof and together with two or more of the mariners on board such ship or vessel, shall make proof upon oath before the collector or other chief officer of the customs of the district, within the limits of which such accident, necessity or distress shall happen, or before the collector or other chief officer of the first district of the United States within the limits of which such ship or vessel shall afterwards arrive, if the said accident, necessity or distress shall have happened not within the limits of any district, but within four leagues of the coast of the United States, (which oath the said collector or other chief officer is hereby authorized and required to administer.)

forfeiture thereof;

except in cases of accident or distress.

Sec. 14. *And be it further enacted,* That if any goods, wares or merchandize so unladen from on board of any such ship or vessel, shall be put or received into any other ship, vessel or boat, except in the case of such accident, necessity or distress as aforesaid, to be notified and proved as aforesaid, the said master or other person having the charge or command of the ship, vessel or boat into which the said goods shall be so put and received, and every other person aiding and assisting therein, shall for-

Masters of vessels receiving goods, except in such cases, to forfeit treble their value and vessels.

feit treble the value of the said goods ; and the ship, boat or vessel shall also be forfeited and l

Masters of vessels to incur a penalty for failing from any district after arriving, if they do not enter, except in cases of distress :

Sec. 15. *And be it further enacted*, That if ship or vessel which shall have arrived within the limits of any district of the United States from any foreign port or place, shall depart or attempt to depart from the same, unless to proceed on way to some more interior district to which she is bound, before report or entry shall have been made by the master or other person having charge or command of such ship or vessel, with collector of some district of the United States, said master or other person having such charge or command shall forfeit and pay the sum of four hundred dollars. And it shall be lawful for any collector, naval-officer, surveyor, or commander of any of the cutters herein after mentioned, to arrest and bring back, or cause to be arrested and brought back, such ship or vessel, to such port of the United States to which it may be most conveniently directed. *Provided*, That if it shall be made to appear by oath of the said master or other person having charge or command of such ship or vessel, and the person next in command, or other sufficient proof to the satisfaction of the collector of the district within which such ship or vessel shall afterwards come, or to the satisfaction of the court which the prosecution for such penalty may be held that the said departure, or attempt to depart, was occasioned by distress of weather, pursuit or danger of enemies, or other necessity, the said penalty shall not be incurred.

To make an entry within 24 hours;

Sec. 16. *And be it further enacted*, That within twenty-four hours after the arrival of any ship or vessel from any port or place, at any port of the United States established by law, at which an officer of the customs resides, or within the harbor, inlet or creek thereof, if the hours

business at the office of the chief officer of the customs at such port will permit, or as soon thereafter as the said hours will permit, the master or other person having the charge or command of such ship or vessel, shall repair to the said office, and shall make report to the said chief officer of the arrival of the said ship or vessel; and within forty-eight hours after such arrival, shall make a further report to the collector of the district in which such ship or vessel may be, of the name, burthen and lading of the said ship or vessel, whether in packages or stowed in bulk, and of the particular marks, numbers and contents of each package, and the place or places, the name of the person or persons to or for which or whom they are respectively consigned or destined, also of the name of the ship or places where she took in her lading, of the country built, from what foreign port or place she last sailed, who was master or commander of her during the voyage, who is at the time of such arrival master or commander of her, and (if a vessel from the United States) who are owners of her; and the whole of such information required on the said report as aforesaid, shall have been given at the time of making the first report, in which case it shall not be necessary to make a further report. And in the cases in which the master or person having the charge or command of any ship or vessel is not herein before required to have on board at the time of her departure from such foreign port or place for the United States, a manifest or manifests of the lading of such ship or vessel, or of any part thereof, the said master or person having the said charge or command, shall, at the time of making the said report, deliver the said manifest or manifests to the collector to whom the said report shall be made, and shall declare to the truth of such manifest or manifests, as the same ought to be, in conformity to the directions of this act. And the said master or person having the charge or com-

and a report
of his cargo
within 48
hours;

and deliver
a manifest
thereof to
the collec-
tor.

To make report on oath of what he may have landed since he sailed from the port where he loaded.

mand of any such ship or vessel, shall in each declare that no part of her lading, since her departure from the said foreign port or place from which she shall be so reported to have last sailed, has been landed or unladed, or otherwise removed from board of her, except as he shall then specify, together with the cause, time, place and manner; and shall further declare, that in case he shall afterwards discover or know of any goods, wares or merchandize, other than those by him then reported, will forthwith thereafter make report thereof to the said collector: which report and declaration respectively shall be in writing, signed by the person making the same, and shall be attested by his oath to the best of his knowledge and belief; and the said collector is hereby authorized and required to administer the same. And if the said master or person having the charge or command of such ship or vessel shall neglect or omit to make the said reports, or either of them, and declarations or to deliver the said manifest or manifests, or to take the said oath, as the case may require, he shall for every such offence forfeit and pay the sum of one thousand dollars.

Penalty on refusal or neglect.

Masters of foreign ships of war or packets not to make report & entry

Sec. 17. *Provided always, and be it further enacted,* That it shall not be necessary for the master or person having the charge or command of any ship or vessel of war, or of any ship or vessel employed by any prince or state, as a public packet for the conveyance of letters and dispatches, and not permitted by the laws of such prince or state to be employed in the transportation of goods, wares or merchandise in the way of trade, to make such report and entry as aforesaid.

Masters of vessels after arriving and entering

Sec. 18. *And be it further enacted,* That it shall be lawful for the said ship or vessel to proceed with any goods, wares or merchandize brought in on board which shall be reported by the said master or

person having the charge or command of the said ship or vessel, to be destined for any foreign port or place from the district within which such ship or vessel shall first arrive, to such foreign port or place, without paying or securing the payment of any duties upon such of the said goods, wares or merchandize, as shall be actually re-exported in the said ship or vessel accordingly; any thing herein contained to the contrary notwithstanding. *Provided*

may proceed to a foreign port.

ways, That the said master or person having the charge or command of the said ship or vessel shall first give bond with one or more sureties, in a sum equal to the amount of the duties on the said goods, wares and merchandize, as the same shall be estimated by the collector to whom said report shall be made, to the satisfaction of said collector, with condition that the said goods, wares or merchandize, or any part thereof, shall not be landed within the United States, unless the entry thereof shall have been first made, and duties thereupon paid or secured according to law, which bond shall be cancelled in like manner as bonds herein after directed to be given for obtaining drawbacks of duties. *Provided nevertheless,* that such bond shall not be required in respect to goods on board of any ship or vessel which shall be put into the United States from necessity, to be made appear in manner herein after prescribed.

After giving bond that his cargo shall not be landed in the United States without first entered.

Bond not to be required when vessels put in from distress.

Sec. 19. *And be it further enacted,* That it shall be lawful for any ship or vessel in which any goods, wares or merchandize shall be brought into the United States from any foreign port or place, to proceed with the same from district to district within the United States, in order to the landing and delivery thereof: and the duties on such of the goods only as shall be landed in any district, shall be paid or secured to be paid within such dis-

Duties to be paid only in such districts where goods are landed.

Collector to furnish the master of a vessel bound to another district with a copy of his report;

which he is to shew to collector of that district within 24 hours after his arrival;

and to give bond that the residue of his goods shall be entered & delivered in such districts as reported to be destined to.

Sec. 20. *And be it further enacted,* That before any ship or vessel shall depart from the district which she shall first arrive, for another district with goods, wares or merchandize brought in such ship or vessel from a foreign port or place, the duties whereof shall not have been paid or secured the master or person having the charge or command of such ship or vessel, shall obtain from the collector of the district from which she shall about to depart (who is hereby required to give the same) a copy of the report made by such master or person having the charge or command of such ship or vessel, certified by the said collector together with a certificate of the quantity and particulars of the goods which shall appear to him to have been landed within his district. And within twenty-four hours after the arrival of such ship or vessel within any other district, the said master or person having the charge or command of such ship or vessel shall make report or entry to or with the collector of such other district, producing and showing the said certified copy of his said first report together with a certificate from each collector of any other district within which any of the goods, wares or merchandize brought in such ship or vessel shall have been before landed, of the quantity and particulars of such of the said goods, wares or merchandize as shall have been so landed in each district respectively; except in the state of Georgia where such report shall be made within forty-eight hours: *Provided always,* That the master or person having the charge or command of the ship or vessel shall first give bond with one or more sureties to the satisfaction of the collector of the district within which the said ship or vessel shall first arrive, in a sum equal to the amount of the duties on the residue of the said goods, according to such estimate as the said collector shall fix therefor, with condition that the said residue of

all goods shall be duly entered and delivered in such other district or districts of the United States, to which the same shall have been reported to be destined. And the said bond shall be cancelled or discharged by the production of a certificate or certificates from the collector or collectors of the district or districts for which the said goods shall have been reported, testifying the due entry and delivery of the said goods in such district or districts, or upon due proof to the satisfaction of the collector by whom the said bond shall have been given, that such entry and delivery were prevented by some unavoidable accident or casualty, and that the whole or any part of the said goods shall not have been lost, that the same has been duly entered and delivered within the United States. And if the master or person having charge or command of any such ship or vessel, shall fail by his neglect or default to obtain the said copy of his said report from the collector of the district from which he shall be about to depart, or of any certificate which he might obtain as aforesaid, or shall neglect to produce and shew the same to the collector of any other district to which the said ship or vessel shall afterwards proceed, within the time for that purpose therein before specified, he shall forfeit and pay for every such neglect or omission five hundred dollars.

Penalty on neglect thereof.

Sec. 21. *And be it further enacted,* That the owner or owners, consignee or consignees of any goods, wares or merchandize on board of any such ship or vessel, or in case of his, her or their absence or sickness, his, her or their known factor or agent, in his, her or their names, within fifteen days after report of the master or person having the charge or command of such ship or vessel to the collector of the district for which such goods, wares or merchandize shall be destined, shall make entry thereof with the said collector, and shall specify in such entry the particular marks, numbers and con-

Owner or consignee to make entry of goods imported upon oath.

Owner or
consignee to
make entry
of goods im-
ported upon
oath.

tents of each package or parcel whereof they shall consist, or if in bulk, the quantity and quality, together with the nett prime cost thereof; and shall also produce to the said collector, if any such there be, the original invoice or invoices, or other documents in lieu thereof, and bill or bills of lading all which shall be done upon the oath of the person by whom such entry shall be made, according to the best of his or her knowledge and belief who shall thereby also declare that if he or she shall afterwards discover or know of any other goods wares or merchandizes imported in such ship vessel, belonging or consigned to the person or persons by whom or on whose behalf such entry shall have been made, he or she will forthwith make known the same, in order to the due entry thereof and the payment or securing the payment of duties thereupon: *Provided always*, That when the particulars of any such goods, wares or merchandize shall be unknown, in lieu of the entry herein before directed to be made, an entry thereof shall be made and received according to the circumstances of the case, the party making the same declaring upon oath all that he or she knows or believes concerning the quantity and particulars of said goods, and that he or she has no other knowledge or information concerning the same; which entry as well the first as the last, shall be made in writing and shall be subscribed by the party making the same.

And in order to ascertain what articles ought to be exempted from duty, as the sea stores of ship or vessel,

Sea stores
exempt
from duty.

Sec. 22. *Be it further enacted*, That the master or person having the charge or command of such ship or vessel, shall particularly specify the said articles in the report to be by him made as aforesaid designating them as the sea stores of the said ship

vessel ; and in the said oath to be taken by such master or other person, he shall declare that the articles so specified as sea stores are truly such, and the bonâ fide put on board the said ship or vessel for the use of the officers, crew and passengers thereon, and were not brought and are not intended by the master of merchandize or for sale ; whereupon the said articles shall be free from duty : *Provided* always, That if it shall appear to the collector to whom such report shall be made, together with the naval-officer, where there is one, or alone where there is none, that the quantities of the said articles reported as sea stores are excessive, it shall be lawful for the said collector jointly with the said naval-officer, or alone as the case may be, in his or their discretion, to estimate the amount of the duty on such excess ; which shall be forthwith paid by the said master or person having the command and charge of the said ship or vessel to the said collector, on pain of forfeiting the value of such excess. And if any of the said articles shall be landed for the purpose of being sold, or to be otherwise disposed of, other than as the sea stores of the ship or vessel in which they were brought, all such as shall be so sold shall be forfeited, and the master or commander of such ship or vessel being privy thereto, shall moreover forfeit and pay treble the value of the said articles so landed.

Excess
thereof to be
valued, and
duties paid.

Penalty for
landing and
selling them

And also to ascertain what articles ought to be exempted from duty, as the cloaths, books, household furniture, tools or implements of the trade or profession of persons arriving within the United States :

Sec. 23. *Be it further enacted*, That due entry thereof, as of other goods, wares and merchandize, but separate and distinct from that of any other goods, wares or merchandize imported from any foreign port or place, shall be made with the col-

Other arti-
cles exempt
from duty,
to be enter-
ed distinctly
upon oath
by owner,

lector of the district in which the said articles intended to be landed by the owner thereof, his or her agent, who shall make oath before the said collector, according to the best of his or her knowledge or belief, touching the person to whom the said articles shall belong, and his calling or occupation, the arrival or expected arrival of the said person within the United States, and that the said articles are truly intended for the use of the said owner solely, or jointly with his or her family, as the case may be, and are not directly nor indirectly imported or intended for sale; which oath shall be in writing, endorsed upon the said entry, and subscribed by the party making the same. And in any other case the said party shall be other than the owner of the said articles, he or she shall give bond with one or more sureties to the satisfaction of the collector, in a sum equal to what would be the amount of the duties on the said articles if imported subject to duty, with condition that in a certain time therein to be specified, not exceeding one year, a like oath as above directed shall be made by the said owner, and if not made before the collector, shall be produced to him duly authenticated; whereupon a permit shall and may be granted for landing the said articles. And a copy of every such entry, and of the oath endorsed thereupon, shall be transmitted to the Secretary of Treasury.

And whereas by the letter of the act, intituled "An act for laying a duty on goods, wares, and merchandizes imported into the United States, and articles of the growth or manufacture of the United States, exported to foreign countries, and brought back to the United States, are subject to duty on their importation into the said States, and whereas it was not the intention of Congress that they should be so subject to duty:

Sec. 23. *Be it therefore further enacted,* That in every case in which a duty may have been heretofore paid on goods, wares or merchandizes of the growth or manufacture of the United States, exported to a foreign country, and brought back to said States, the amount thereof shall be repaid to the person or persons by whom the same shall have been paid, or to his, her or their representatives; and that in every case in which such duty shall have accrued, but may not have been paid, the same shall be remitted, and that no such duty shall hereafter be demanded: *Provided,* That the regulations herein after prescribed for ascertaining the identity of such goods, wares or merchandize, be observed and complied with, and that as well in respect to those heretofore imported, as far as may be practicable, as to those hereafter to be imported.

Duties paid on articles of the growth & manufacture of the U. States, exported & bro't back to be refunded

And also to ascertain the identity of articles of growth, product or manufacture of the United States, which having been exported to any foreign country or place, shall be brought back to the said States:

Sec 24. *Be it further enacted,* That report and entry thereof shall be made as in other cases of goods, wares and merchandize imported from a foreign port or place, and proof by oath of the person or persons having knowledge of the facts, shall be made to the satisfaction of the collector of the district, with whom such entry shall be, jointly with the naval-officer, if there be a naval-officer, or if there be no naval-officer, that the said articles had been exported from the United States, as their growth, product or manufacture, and of the time when, by whom, in what ship or vessel, for what port or place they were so exported; and if the said collector shall be other than the collector of the district from which the said articles shall have been exported, a certificate of the latter shall be produced to the former, testifying the ex-

and to ascertain their identity, they are to be entered in the same manner as other articles imported.

portation thereof in conformity to the proof aforesaid; whereupon a permit shall and may be granted for landing the same: *Provided*, That if the said certificate cannot be immediately produced, and if the proof otherwise required shall be made, and if bond shall be given, with one or more sureties to the satisfaction of the collector of the district with which the said articles are intended to be landed in a sum equal to what the duties would be on the said articles, if they were not of the growth, produce or manufacture of the United States; with condition that the said certificate shall be produced within the term of four months, it shall be lawful for the said collector to grant a permit for the landing of the said articles, in like manner as if the said certificate had been produced.

Oaths to be administered on entries by officers of customs,

Sec. 25. *And be it further enacted*, That the oaths to be taken upon making of any of the reports or entries aforesaid, whether by the master, or other person having the charge or command of any ship or vessel, or the owner or consignee of any goods, wares or merchandize, his or her factor or agent, shall be administered by the collector or officer to whom import or entry shall be made, and where there shall be a naval-officer, in the presence of such naval-officer, who shall attend for that purpose, and shall be reduced to writing, and shall be subscribed by the person administering the same, and by the said naval-officer, if any shall be present: and the said collector, jointly with the said naval-officer, where there is a naval-officer, or alone where there is none, shall according to the best of his or their judgment or information, make a gross estimate of the amount of the duties on the goods, wares or merchandize to which the entry of any owner or consignee, his or her factor or agent shall relate, which estimate shall be endorsed upon such entry, and signed by the officer or officers making the same. And the amount of the said duties accor-

who shall make an estimate of the amount of the duties thereon.

to the said estimate, having been first paid or secured, pursuant to the provisions of this act, the said collector shall grant a permit to land the goods, wares or merchandize, whereof such entry shall have been made, and then and not otherwise it shall be lawful to land the said goods.

Sec. 26. *And be it further enacted*, That no goods, wares or merchandize brought in any ship or vessel from any foreign port or place, shall be unladen or delivered from such ship or vessel, within the United States, but in open day—that is to say; between the rising and setting of the sun, except by special licence from the chief officer of the port for that purpose, nor at any time without a permit from the collector for such unloading or delivery: and if any goods, wares or merchandize shall be unladen or delivered from any such ship or vessel, contrary to the directions aforesaid, or any of them, the master or person having the command or charge of such ship or vessel, and every other person who shall knowingly be concerned or aiding therein, or removing, storing, or otherwise securing the said goods, wares or merchandize, shall forfeit and pay a sum of four hundred dollars for each offence; and shall be disabled from holding any office of trust or profit under the United States, for a term not exceeding seven years; and it shall be the duty of the collector of the district, to advertise the names of all such persons in a newspaper, printed in the State in which he resides, within twenty days after each respective conviction. And all goods, wares or merchandize so unladen or delivered, shall become forfeited, and may be seized by any of the officers of the customs; and where the value thereof according to the highest market price of the same, shall amount to four hundred dollars, the vessel, tackle, apparel and furniture, shall be subject to like seizure and forfeiture.

Proviso for unloading goods in open day and with a permit,

and goods to be forfeited.

Goods re-
moved be-
fore being
weighed or
guaged, also
to be for-
feited.

Sec. 27. *And be it further enacted,* That no goods, wares or merchandize brought in any ship or vessel from any foreign port or place, requiring to be weighed or guaged in order to ascertain the duties thereupon, shall be removed from any wharf or place upon which the same may be landed or put on board before the same shall have been weighed or guaged by or under the direction of a proper officer for that purpose; and if any such goods, wares or merchandize shall be removed from such wharf or place, unless with consent of the proper officer before the same shall have been so weighed or guaged, the same shall be forfeited, and may be seized by any officer of the customs.

Goods to be
stored by
the collector
until the
duties there-
on are
ascertained.

Sec. 28. *And be it further enacted,* That goods, wares or merchandize of which entry shall have been made, without specification of particulars, shall be conveyed to some ware-house or store-house, to be designated by the collector, in the vessels or packages containing the same, under the direction of some proper officer, until the particulars thereof shall be examined and ascertained; agreeably to which the duties thereupon shall be finally adjudged and satisfied. And in every case, if the amount of the duties estimated, or secured to be paid, shall exceed or fall short of the true amount of the duties on the goods, wares or merchandize imported as the same shall be finally ascertained, the difference shall be made good, or allowed where there shall be an excess, by return of the money, if paid, or credit on the bond which shall have been given for the same, if not paid; and where there shall be a deficiency, by payment of such deficiency to the collector.

Sec. 29. *And be it further enacted,* That it shall be lawful for the collector of any district at which any ship or vessel may arrive, and for the surveyor of any port where any such ship or vessel may

ut and keep on board such ship or vessel, while
 aining within such district, or in going from
 district to another, one or more inspectors to
 nine the cargo or contents of such ship or ves-
 and to superintend the delivery thereof, or of
 uch thereof as shall be delivered within the
 ted States; and to perform such other duties
 rding to law, as they shall be directed by the
 collector or surveyor to perform for the better
 ring the collection of the duties: *Provided*,
 t collectors only shall have power to put on
 d ships or vessels, inspectors to go from one
 ict to another. And the said inspector or in-
 ors shall make known to the person having the
 ge or command of such ship or vessel, the du-
 ne or they is or are so to perform; and shall
 r no goods, wares or merchandize to be landed
 laden from such ship or vessel, without a proper
 it for that purpose; and shall enter in a book to
 / him or each of them kept, the name or names
 e person or persons in whose behalf such permit
 granted, together with the particulars therein
 fied, and the marks, numbers, kinds and de-
 tions of the respective packages which shall be
 ded pursuant thereto. And the wages or com-
 ation of such inspector or inspectors in going
 one district to another, shall be defrayed by
 aaster or person having the charge of the vessel
 nch they respectively go.

Inspectors
to be put
on board of
vessels until
they are un-
laden,

their duties,

and wages.

ec. 30. *And be it further enacted*, That it shall
 wful for all collectors, naval-officers, surveyors,
 ctors, and the officers of the revenue cutters
 in after mentioned, to go on board of ships or
 ls in any part of the United States, or within
 leagues of the coast thereof, if bound to the
 ed States, whether in or out of their respec-
 districts, for the purposes of demanding the
 ifests aforesaid, and of examining and search-
 the said ships or vessels; and the said officer.

Officers of
the customs
and revenue
cutters to
go on board
of vessels.

to demand
manifests &
search

respectively shall have free access to the cabin, and every other part of a ship or vessel: and if any box, trunk, chest, cask, or other package, shall be found in the cabin, steerage or fore-castle of such ship or vessel, or in any other place separate from the hold of the cargo, it shall be the duty of the commanding officer to take a particular account of every such box, trunk, cask or package, and the marks, if there be, and a description thereof; and if he shall judge proper to put a seal or seals on every such box, chest, trunk, cask or package; and such account and description shall be by him forwarded to the collector of the district to which such ship or vessel is bound. And if upon her arrival at port of her entry, the boxes, trunks, chests, casks or packages so described, or any of them shall be missing, or if the seals put thereon be broken, the master or commander of such ship or vessel shall be liable to forfeit and pay for every such box, trunk, chest, cask or package so missing, or of which the seals shall be broken, two hundred dollars. And it shall be lawful for the inspectors who may be put on board of any ship or vessel, to secure after sunset each evening, the hatches and other communications with the hold of such ship or vessel, with locks or other proper fastenings, which fastenings shall not be opened, broken or removed, until morning following, or after the rising of the sun, and in presence of the inspector or inspectors to whom the same shall have been affixed, except by special licence from the chief officer of the port. And if the said locks or other fastenings, or any of them, shall be broken or removed during the night, or before the said rising of the sun, or without the presence of the said inspector or inspectors, the master or person having the charge or command of such ship or vessel, shall forfeit and pay the sum of two hundred dollars.

Packages missing subjecting the master to a penalty.

Hatches of respective vessels to be secured after sunset,

and forfeiture for opening them in the night.

Sec. 31. *And be it further enacted,* That when the delivery of goods, wares or merchandize from the board of any such ship or vessel at any port shall have been completed, the accounts or entries which shall have been kept or made thereof by the officer or officers who shall have been charged with superintending the said deliveries, shall be reported to the collector of the district, who, together with the surveyor-officer, where there is one, or alone where there is none, shall compare the said accounts and entries with the entry or entries which shall have been made by the owner or owners, consignee or consignees, his, her or their factor or agent. And if any difference shall appear, the same shall be noted by endorsement on such entry or entries, specifying the particulars thereof; and if no difference shall appear, it shall be noted by like endorsement, that the deliveries have corresponded with the entry; and such endorsement or memorandum shall in each case be subscribed by the officer or officers by whom such comparison shall have been made, and by the collector or officers under whose inspection the said deliveries shall have been executed.

Report of cargo delivered to be compared with the entry thereof,

and result to be endorsed on the entry

Sec. 32. *And be it further enacted,* That if at the expiration of fifteen working days after the time within which the report of the master or person having the charge or command of any ship or vessel, required to be made to the collector of a district or districts, as aforesaid, there shall be found on board any goods, wares or merchandize, other than that which have been reported for some other district or foreign port or place, the said inspector or inspectors shall take possession thereof, and deliver the same to the order of the collector of the district, giving his receipt therefor, and giving notice thereof to the master or person having the charge or command of such ship or vessel, describing the packages and their marks and numbers. And the said goods shall be kept with due and reasonable

Goods to be taken by the collector 15 days after report made by master or vessel,

who shall keep them

9 months, and if not then claimed, to have them appraised and sold at auction, & pay the net proceeds into the treasury of the United States ;

such goods not to be appraised if entered, but sold if of a perishable nature.

Limitation of 15 days not to extend to vessels laden with salt or coal.

and the extra wages of the inspectors to be paid by the master.

Packages reported missing, or disagree- ment of the report with the cargo,

care at the charge and risk of the owner or owners for a term of nine months ; and if within that time no claim be made for the same, the said collector shall procure an appraisement thereof by two or more reputable merchants, to be certified under their hands, and to remain with him, and shall afterwards cause the said goods to be sold at public auction, and retaining the duties and charges thereon, shall pay the overplus, if any there be, into the treasury of the United States, there to remain to the use of the owner or owners, who shall upon due proof of his, her or their property, be entitled to receive the same ; and the receipt or certificate of the collector shall exonerate the master or commander from all claim of the owner. *Provided*

That where any entry shall have been duly made of such goods, the same shall not be appraised, and that where such goods are of a perishable nature, they shall be sold forthwith. *Provided further*

That the said limitation of fifteen days shall not extend to ships or vessels laden with salt or coal, but if the said master or owner of any such ship or vessel requires longer time to discharge her cargo, the wages or compensation of the inspector for every day's attendance exceeding the said fifteen days, shall be paid by the said master or owner. And if in reason of the delivery of a cargo in different districts, more than the said term of fifteen working days shall in the whole be spent therein, the wages or compensation of the inspector or inspectors who may be employed on board of any ship or vessel in respect to which the said term may be so exceeded, shall for every day of such excess be paid by the said master or owner.

Sec. 33. *And be it further enacted*, That if a package whatever, which shall have been reported as aforesaid, shall be wanting and not found on board such ship or vessel, or if the goods on board the said ship or vessel shall otherwise not agree with

the report of the master or other person having the charge or command of any such ship or vessel ; every such case he shall forfeit and pay the sum five hundred dollars. *Provided nevertheless,* that if it shall be made to appear to the satisfaction of the collector, naval-officer and surveyor, or the major part of them, where those officers are established at any port, or to the satisfaction of the collector alone where either of the said other officers are not established, or in case of trial for the said penalty, to the satisfaction of the court, that no part of the cargo of such ship or vessel has been unaccounted for since it was taken on board, except as shall have been specified in the said report, or that the said disagreement is by accident or mistake ; in which case the penalty aforesaid shall not be inflicted.

subjecting
the master
to a penalty.

Sec. 34. *And be it further enacted,* That the following allowances shall be made for the drafts and tare of the articles subject to duty by weight—that is to say : For draught on any quantity of one hundred weight, or one hundred and twelve pounds, and under, one pound ; on any quantity above one, and not exceeding two hundred weight, two pounds ; on any quantity above two, and not exceeding three hundred weight, three pounds ; on any quantity above three, and not exceeding ten hundred weight, four pounds ; on any quantity above ten, and not exceeding eighteen hundred weight, seven pounds ; on any quantity above eighteen hundred weight, nine pounds : For tare, on every whole chest of bohea tea, seventy pounds ; on every half chest, thirty-six pounds ; on every quarter chest, twenty pounds ; on every chest of hyson or other green tea, the gross weight of which shall be seven pounds or upwards, twenty pounds ; on every box of other tea, not less than fifty, or more than seventy pounds gross, eighteen pounds ; on all other boxes of tea, according to the invoice thereof ; on coffee in bags, two per cent. in bales, three

Allowances
for the
drafts and
tare of arti-
cles.

per cent. in casks, twelve per cent. ; on pepper bales, five per cent. in casks, twelve per cent. ; sugars, other than loaf sugar, in casks, twelve cent. in boxes, fifteen per cent. ; on all other goods according to the invoice thereof. *Provided also* That where the original invoices of any of the said articles are produced, and the tare or tares appear therein, it shall be lawful, with the consent of the porter or importers, consignee or consignees, to estimate the said tare or tares according to such invoice.

Allowance
for leakages.

Sec. 35. *And be it further enacted*, That there shall be an allowance for leakage of two per cent. on the quantity which shall appear by the gauge to be contained in any cask of liquors subject to duty by the gallon.

Goods damaged during a voyage, or not accompanied with an invoice, to be appraised to ascertain the duties,

Sec. 36. *And be it further enacted*, That if goods, wares or merchandize, on which duties payable, shall receive damage during the voyage or shall not be accompanied with the original invoice of their cost, it shall be lawful for the collector (and upon the request of the party he is required to appoint one merchant, and the owner or consignee to appoint another, who being sworn and affirmed by the collector, well and truly to appraise such goods, shall appraise or value them accordingly, and the duties upon such goods shall be estimated agreeably to such appraisement or valuation. And in respect to such damaged articles as are charged with a specific duty, by number, weight or measure, the said appraisers shall certify in their judgment would have been their value in case they had not been so damaged, and there shall be an abatement in the duty in proportion to the difference in value. *Provided*, That if the owner or owners, consignee or consignees of such goods not accompanied with an original invoice, refuse to wait the receipt thereof, in such case the said collector shall take into his custody the

all the duties
to be kept by
the collector
until the in-
voice arrives,
if the owner
refuses.

ods, and shall keep or cause the same to be kept in due and reasonable care, at the expense and of the party or parties, until the said invoice arrive, or until the said party or parties shall consent to the valuation thereof.

Sec. 37. *And be it further enacted,* That if any ship or vessel from any foreign port or place, compelled by distress of weather or other necessity, shall come into any port or place of the United States, being destined for the same; and if the master or person having charge or command of such ship or vessel, together with the mate or person next in command, shall, within twenty-four hours after arrival, make protest in the usual form upon oath before a notary public, or other person duly authorized, or before the collector of the district where the said ship or vessel shall so arrive, who is by law empowered to administer the same, setting forth the cause and circumstances of such distress and necessity, and shall within forty-eight hours after such arrival, make report to the said collector, of the said ship or vessel and her cargo as in other laws. And if it shall be made appear to the said collector, by the certificate of the wardens of the port, or other officers usually charged with, and accustomed to ascertaining the condition of ships and vessels arriving in distress, if any such there be, or by the certificate of any two reputable merchants, to be named for that purpose by the said collector, or if no such wardens or other officers there be, that there is a necessity for unloading the said ship or vessel, the said collector shall grant a permit for that purpose, and shall appoint an inspector or inspectors to oversee such unloading. And all goods so unloaded shall be stored under the direction of the said collector; who, upon request of the master or other person having charge or command of such ship or vessel, or of the owner thereof, shall grant a licence to dispose of such part of the said cargo as

Ships or vessels compelled by distress to make entry and protest,

and collector may grant a permit to unload their cargoes.

which shall be stored under his direction, & the perishable part sold by his licence,

may be of a perishable nature (if any there be) as may be necessary to defray the expenses attending such ship or vessel, and her cargo: *Provided* That the duties thereupon be first paid. And said goods, or the remainder thereof, may afterwards be reladen on board the said ship or vessel and the said ship or vessel may proceed with same to the place of her destination, free from other charge than for the storing and safe-keeping of the said goods.

the duties being first paid, and the residue reladen.

Rule for estimating the ad valorem rates of duty at the place of importation.

Sec. 38. *And be it further enacted*, That the valorem rates of duty upon goods, wares and merchandize at the place of importation, shall be estimated by adding twenty per cent. to the actual thereof, if imported from the Cape of Good Hope or from any place beyond the same; and ten cent. on the actual cost thereof if imported from other place or country, exclusive of charges.

Rates of foreign coin & currency.

Sec. 39. *And be it further enacted*, That all foreign coins and currencies shall be estimated according to the following rates: Each pound sterling of Great-Britain, at four dollars and forty-four cents; each livre tournois of France, at eighteen cents and an half; each florin or guilder of the United Netherlands, at thirty-nine cents; each mark banco of Hamburg, at thirty-three cents and one third; each rix dollar of Denmark, at one hundred cents; each rial of plate of Spain, at ten cents; each real of Portugal at one dollar and twenty-four cents; each pound sterling of Ireland, at four dollars and twenty cents; each tale of China, at one dollar forty cents; each pagoda of India, at one dollar nine cents and an half; each rupee of Bengal, at fifty cents and an half; and all other denominations of money in value as near as may be to the said rates.

Duties how to be paid or secured.

Sec. 40. *And be it further enacted*, That all duties on goods, wares and merchandize imported, shall be paid or secured to be paid, before a permit

granted for landing the same. And where the amount thereof on goods imported in any ship or vessel, on account of one person only, or of several persons jointly interested, shall not exceed fifty dollars, the same shall be immediately paid; but where said amount shall exceed fifty dollars, the same may, at the option of the proprietor or proprietors, consignee or consignees, be either immediately paid or secured by bond, with condition for the payment thereof, if accruing upon articles of the produce of the West-Indies, in four months; if accruing on Madeira wines, in twelve months; if accruing upon any other goods, wares or merchandize, other than teas imported from China, in six months; such bond, at the like option of the said proprietor or proprietors, consignee or consignees, shall either include one or more sureties, to the satisfaction of the collector of the district where the said duties shall be due, or shall be accompanied with a deposit in the custody of the said collector, of so much of the said goods, as shall in his judgment be a sufficient security for the amount of the duties for which such bond shall have been given, and the charge of the safe-keeping and sale of the goods so deposited; which deposit shall and may be accepted in lieu of the said sureties, and shall be kept by the said collector with due and reasonable care, at the expense and risk of the party or parties on whose account the same shall have been made, until the sum specified in such bond shall have become due, at which time if such sum shall not be paid, so much of the said deposited goods as may be necessary, shall be sold at public sale, and the proceeds thereof, after deducting the charges of keeping and sale, shall be applied to the payment of such sum, rendering the surplus and the residue of the said goods, if any there be, to the person or persons by whom such deposit shall have been made, or to his, her or their representatives. *Provided*, That no person whose

Duties, how
to be paid
or secured.

bond for the payment of duties is due and unfi-
 shed, shall be allowed a future credit for duties,
 til such bond shall be fully paid or discharged.

Teas im-
 ported from
 China may
 be deposited
 in custody
 of collector
 on certain
 conditions.

Sec. 41. *Provided always, and be it further enact*
 That all teas imported from China, may, at
 option of the proprietor or consignee thereof,
 deposited in the custody of the collector with wh
 the same shall be entered, or the duties ther
 secured by bond, with one or more sureties, to
 satisfaction of the collector, with condition for
 payment of such duties within twelve months ;
 in case of depositing such teas, they shall be l
 at the charge of the person or persons deposi
 the same. And the collector shall deliver such t
 or part thereof, from time to time, to the person
 persons depositing the same, or to his or their or
 on payment of the duties for such part as may b
 delivered, and not otherwise; and in case the w
 of the duties shall not be paid within eighteen mo.
 from the time of the entry made, it shall be
 duty of the said collector to sell at public auctio
 much of the said teas as shall be sufficient to pay
 duties then due, together with the charges of sale
 safe keeping, and to return the overplus to the
 son or persons who shall have deposited such t
 or his, her or their representatives ; and for t
 teas as have been imported from China in the
 sent year, the owner or consignee thereof shall
 entitled to deposit the same, or to give bond, p
 ble in like manner, and under like regulations
 are herein before directed for teas which t
 hereafter be imported, notwithstanding the dutie
 such teas may have been already secured to be p

Duties on
 tonnage to
 be paid
 within ten
 days after
 report has
 been made.

Sec. 42. *And be it further enacted,* That the
 ties imposed by law on the tonnage of any ship
 vessel, shall be paid to the collector by the ma
 or person having the charge or command of t
 ship or vessel, within ten days after his report to
 said collector ; and before such ship or vessel t

permitted to clear out ; the register of which ship or vessel shall at the time of entry be lodged in the office of the collector, and there remain until such clearance. And if any ship or vessel shall leave, or attempt to leave any district of the United States, without paying the said duties, the master or person having the charge or command of the same shall forfeit and pay five hundred dollars.

Sec. 43. *And be it further enacted*, That to ascertain the tonnage of any ship or vessel, the surveyor, or such other person as shall be appointed by the collector of the district to measure the same, shall, if the said ship or vessel be double decked, take the length thereof from the fore part of the main stem to the after part of the stern post above the upper deck ; the breadth thereof at the broadest part above the main wales, half of which breadth shall be accounted the depth of such vessel, and shall then deduct from the length three fifths of the breadth, multiply the remainder by the breadth, and the product by the depth, and shall divide this product by ninety-five, the quotient whereof shall be deemed the true contents or tonnage of such ship or vessel. And if such ship or vessel be single decked, the said surveyor or other person shall take the length and breadth as above directed, and in respect to a double decked ship or vessel, shall deduct from the said length three fifths of the breadth, and taking the depth from the under side of the lower plank to the ceiling in the hold, shall multiply and divide as aforesaid, and the quotient shall be deemed the tonnage of such ship or vessel.

Mode of
ascertaining
the tonnage
of any vessel

Sec. 44. *And be it further enacted*, That where any bond for the payment of duties shall not be satisfied on the day it became due, the collector shall nevertheless cause a prosecution to be commenced for the recovery of the money thereon, by action at law, in the proper court having cogni-

Bond for
duties, how
to be prosecuted.

zance thereof; and in all cases of insolvency, where any estate in the hands of executors or administrators shall be insufficient to pay all the debt due from the deceased, the debt due to the United States, on any such bond, shall be first satisfied

Goods entered and not truly invoiced, to be forfeited.

Sec. 45. *And be it further enacted,* That if any goods, wares or merchandize, of which entry shall have been made in the office of a collector, shall not be invoiced according to the actual cost thereof at the place of exportation, with design to evade duties thereupon, or any part thereof, all such goods, wares or merchandize, or the value thereof, to be recovered of the person making entry, shall be forfeited. And in every case in which the said collector shall suspect that any such goods, wares or merchandize, are not invoiced at a sum equal to that for which they have usually been sold in the place or country from whence they were imported, it shall be the duty of such collector to take the said goods, wares and merchandize into his possession, and retain the same, with reasonable care, at the risk and expense of the owner or owners, consignee or consignees thereof, until their value at the time and place of importation shall be ascertained by three reputable merchants, to be chosen and appointed as in the case of damaged goods, or goods not accompanied with an invoice; and until the duties arising according to such valuation shall be paid, or secured to be paid, as required by this act in other cases of importation: *Provided,* That in case of a prosecution for the forfeiture aforesaid, such appraisement shall not be construed to exclude other proof upon the trial, of the actual and real cost of the said goods at the said place of exportation.

How to be ascertained.

Sec. 46. *And be it further enacted,* That it shall be lawful for the collector or other officer of the customs, after entry made of any goods, wares

merchandize, on suspicion of fraud, to open and examine in the presence of two or more reputable merchants, any package or packages thereof; and upon examination they shall be found to agree with the entries, the officer making such seizure shall cause the same to be repacked, and delivered to the owner or claimant forthwith; and the expense of such examination shall be paid by the collector or other officer, and allowed in the settlement of his accounts; but if any of the packages examined shall be found to differ in their contents from the entry, then the goods, wares or merchandise contained in such package or packages shall be forfeited: *Provided*, That the said forfeiture shall not be incurred, if it shall be made appear to the satisfaction of the collector and naval-officer of the district where the same shall happen, if there be a naval-officer, and if there be no naval-officer, to the satisfaction of the said collector, or of the court to which a prosecution for the forfeiture shall be brought, that such difference proceeded from accident or mistake, and not from an intention to defraud the revenue.

Officer sus-
pecting
fraud may
examine
packages.

Sec. 47. *And be it further enacted*, That every collector, naval-officer and surveyor, or other person specially appointed by either of them for that purpose, shall have full power and authority to enter any ship or vessel in which they shall have reason to suspect any goods, wares or merchandize subject to duty shall be concealed; and therein to search for, seize and secure any such goods, wares or merchandize. And if they shall have cause to suspect a concealment thereof in any particular dwelling-house, store, building or other place, they or either of them shall upon application on oath to a justice of the peace, be entitled to a warrant to enter such house, store or other place (in the day or time only) and there to search for such goods, and if any shall be found, to seize and secure the same

Dutiable
goods con-
cealed, how
to be search-
ed for and
secured.

for trial : and all such goods, wares and merchandize, on which the duties shall not have been paid or secured, shall be forfeited.

Collector to take custody of goods seized.

Sec. 48. *And be it further enacted*, That all goods wares and merchandize which shall be seized in virtue of this act, shall be put into and remain in the custody of the collector or such other person as he shall appoint for that purpose, until such proceedings shall be had as by this act are required to ascertain whether the same have been forfeited or not ; and if it shall be adjudged that they are not forfeited they shall be forthwith restored to the owner or owners, claimant or claimants thereof.

Penalty for concealing or buying goods subject to duty.

And if any person or persons shall conceal or buy any goods, wares or merchandize, knowing them to be liable to seizure by this act, such person or persons shall, on conviction thereof, forfeit and pay a sum double the value of the goods so concealed or purchased.

Officers may make seizure in any district.

Sec. 49. *And be it further enacted*, That it shall be the duty of the several officers of the customs to make seizure of, and secure any ship or vessel, goods, wares or merchandize, which shall be liable to seizure by virtue of this act, as well without as within their respective districts.

Officers sued or molested may plead this act.

Sec. 50. *And be it further enacted*, That if any officer or other person, executing or aiding and assisting in the seizure of goods, shall be sued or molested for any thing done in virtue of the power given by this act, or by virtue of a warrant granted by any judge or justice pursuant to law, such officer or other person may plead the general issue, and give this act and the special matter in evidence ; and if in such suit the plaintiff be nonsuited, judgment pass against him, the defendant shall recover double cost ; and in actions, suits or informations to be brought, where any seizure shall be made pursuant to this act, if the property be claimed

person, in every such case the *onus probandi* shall upon such claimant. And if any person shall visibly resist, prevent or impede any officer of the customs, or their deputies, or any person assisting in the execution of their duty, such person offending, shall for every offence be fined in a sum not exceeding four hundred dollars.

Penalty for impeding officers in the execution of their duty.

Sec. 51. *And be it further enacted,* That every collector, naval-officer and surveyor shall, within three months after he enters upon the execution of his office, give bond with one or more sufficient securities, to be approved of by the comptroller of the Treasury of the United States, and payable to the United States, with condition for the true and faithful discharge of the duties of his office according to law—that is to say: The collector of Philadelphia, in the sum of sixty thousand dollars: The collector of New-York, fifty thousand dollars: The collector of Boston and Charlestown, forty thousand dollars: The collectors of Baltimore, and Charleston, thirty thousand dollars each: The collector of Norfolk and Portsmouth, fifteen thousand dollars: The collectors of Portsmouth in New-Hampshire, of Salem and Beverly, Wilmington in the State of Delaware, Annapolis, Georgetown in Maryland, Bermuda-hundred and City-point, Alexandria, Wilmington, Newbern and Edenton in the State of North-Carolina, Newport and Providence in the State of Rhode-Island and Providence Plantations, ten thousand dollars each: The collectors of Newburyport, Gloucester, Marblehead, Plymouth, Nantucket, Portland and Falmouth, New-London, New-Haven, Fairfield, Perth-Amboy, Rye, Rocktown, Dumfries, Washington and Cambden, Georgetown in South-Carolina, Beaufort, and Savannah, each five thousand dollars: And all the other collectors in the sum of two thousand dollars each.

The naval-officers for the ports of Boston

Collectors, naval officers and surveyors to enter into bonds for performance of duty.

and Charlestown, New-York, Philadelphia, Baltimore, and Charleston, ten thousand dollars each and all the other naval-officers in the sum of thousand dollars each. The surveyors of the port of Boston and Charlestown, New-York, Philadelphia, Baltimore, and Charleston, five thousand dollars each; and all other surveyors one thousand dollars each. Which bonds shall be filed in the office of the said comptroller, and be by him finally put in suit for the benefit of the United States upon any breach of the condition thereof. As no provision has been heretofore specially made concerning the officers of the customs who have been heretofore appointed in and for the ports of North-Carolina, and Rhode-Island and Providence Plantations; the said officers respectively shall, within four months after the passing of this act, give bond with proper surety or sureties in conformity to the provision aforesaid.

Their fees
of office and
per centage.

Sec. 52. *And be it further enacted,* That there shall be allowed and paid to the collectors, naval officers and surveyors to be appointed pursuant to this act, the fees and per centage following—
is to say: To each collector for every entrance of any ship or vessel of one hundred tons burthen upwards, two dollars and an half; for every clearance of any ship or vessel of one hundred tons then and upwards, two dollars and an half; for every entrance of any ship or vessel under the burthen of one hundred tons, one dollar and an half; for every clearance of a ship or vessel under the burthen of one hundred tons, one dollar and an half; for every permit to land goods, twenty cents; for every bond taken officially, forty cents; and for every permit to load goods for exportation, where the owner is entitled to a drawback, thirty cents; for every official certificate, twenty cents; for every bond for health, twenty cents; for every other official certificate (registers excepted) required by the owner or master of any vessel not before enumerated, twenty

es: and where a naval-officer is appointed to
 same port, the said fees shall be equally divided
 between the collector and the said naval-officer, the
 er paying one third of the expence of ne-
 ary stationary, and of the rent of an office to be
 vided by the collector, at the place assigned for
 residence, and as conveniently as may be for
 trade of the district: and all fees shall, at the
 on of the collector, be either received by him
 by the naval-officer, the party receiving to ac-
 nt monthly with the other for his proportion
 hare thereof. To each surveyor for the ad-
 furement of every ship or vessel of one hun-
 d tons and under, one cent per ton; for the ad-
 furement of every ship or vessel, above one hun-
 d tons, and not exceeding two hundred tons,
 hundred and fifty cents; for the admeasure-
 it of every ship or vessel above two hundred
 ;, two hundred cents; for all other services
 this act to be performed by such surveyor,
 board any ship or vessel of one hundred tons
 upwards, and having on board goods, wares
 merchandize subject to duty, three dollars;
 the like services on board any ship or vessel of
 than one hundred tons burthen, having on
 rd goods, wares and merchandize subject to du-
 one and an half dollar; on all vessels not ha-
 g on board goods, wares and merchandize sub-
 to duty, two thirds of a dollar; all which fees
 l be paid by the master or owner of the ship
 vessel in which the said services shall be perform-
 to the surveyor by whom they shall be perform-
 ed, if performed by one only for his sole be-
 t, but if performed by more than one, to him
 o shall have the first agency, to be divided in
 al parts between him and the other or others
 whom the said services shall be performed. To
 h inspector there shall be allowed for every day
 h shall be actually employed in aid of the customs,
 um not exceeding one dollar and twenty-five

Fees of col-
 lectors, na-
 val-officers
 and survey-
 ors.

Inspectors,
 measurers,
 weighers
 and gaug-
 ers, their
 pay and fees.

Pay & fees
of inspec-
tors, &c.

cents, to be paid by the collector out of the revenue, and charged to the United States. To measurers, weighers and gaugers respectively, to be paid by the collector out of the revenue for measurement of every one hundred bushels of grain, thirty cents; for the measurement of every one hundred bushels of salt, forty cents; for measurement of every one hundred bushels of coffee, fifty cents; for the weighing of every one hundred and twelve pounds, two cents; for the gauging and marking of every cask (to be marked in legible characters with his own name and the quantity) eight cents; for computing the contents of, (if requested by the party) marking casks containing distilled spirits and wines, three cents per cask; for counting the number of bottles of cyder, brandy or porter, one cent per dozen; and in proportion for any greater or less quantity. There shall moreover be allowed to the collectors of the districts of New-York and Philadelphia, three fourths of one per centum on the amount of all monies by them respectively received on account of duties, and to the collector of each of the other districts by this act established, one per centum on the amount of all monies by them respectively received on the said account of duties.

And whereas the allowances aforesaid will afford an adequate compensation to the officers herein after mentioned, by reason of the small portion of business done at the ports to which they respectively belong, although the said officers are necessary to the accommodation of the inhabitants, the facility of commerce, and the security of the revenue. Therefore,

Sec. 53. *Be it further enacted*, That in addition to the fees and emoluments which shall accrue to the said officers from the provisions aforesaid, they shall severally have and be entitled to the respective allowances following—to wit: The collector of the districts of Saint Mary's in the state of Georgia,

Special allowance to revenue of officers of certain ports.

Bunswick, Beaufort, South Quay, Cherrystone, Elly Landing, Annapolis, Yeocomico, Saint Marks, Oxford, Sagg-Harbour, Passamaquody, the yearly some of one hundred dollars each. The collectors of the districts of Sunbury and Penobscot in Massachusetts, the yearly sum of sixty dollars each. The collectors of the districts of Hampton, Snowhill, Bridgetown, Burlington, Frenchmans-Bay, and Edgartown, the yearly sum of fifty dollars each. The surveyors of the ports of Frederickburg, Smithfield, Port-Royal, Suffolk, West-Point, Richmond, Petersburg and Little Egg-Harbour, the yearly sum of eighty dollars each. The surveyors of the ports of Swansborough, Urban-Town-Creek, Albany, Hudson, Stonington, St-Greenwich, and Gloucester, fifty dollars each.

Sec. 54. *And be it further enacted,* That every collector, naval-officer, and surveyor, shall cause to be affixed and constantly kept in some public and conspicuous place of his office, a fair table of the rates of fees and duties demandable by law, and shall give a receipt for the fees he shall receive, specifying the particulars; and in case of failure therein, shall forfeit and pay one hundred dollars, to be recovered with costs, in any court having cognizance thereof, to the use of the informer; and if any officer of the customs shall demand or receive any greater or other fee, compensation or reward, for executing any duty or service required of him by law, he shall forfeit and pay two hundred dollars for each offence, recoverable in manner aforesaid for the use of the party grieved.

Collectors, naval officers and surveyors to set up table of fees.

Penalty for demanding greater or other fees.

Sec. 55. *And be it further enacted,* That the duties and fees to be collected by virtue of this act, shall be payable in gold or silver coin, at the following rates—that is to say: The gold coins of France, England, Spain and Portugal, and all other gold coins of equal fineness, at eighty-nine cents for every penny weight: The Mexican dol-

Rates of coin for receiving duties and fees.

lar at one hundred cents ; the crown of France one dollar and eleven cents ; the crown of England at one dollar and eleven cents ; all silver coin of equal fineness, at one dollar and eleven cents per ounce and cut silver of equal fineness, at one dollar and six cents per ounce.

Drawbacks,
where payable,

Sec. 56. *And be it further enacted*, That all drawbacks allowed by law on the exportation of goods, wares and merchandize imported, shall be paid or allowed by the collector at whose office said goods, wares and merchandize were originally entered, and not otherwise, retaining one per centum for the benefit of the United States. And that the allowances on dried and pickled fish from the fisheries of the United States, and on salt provisions of the United States, shall be paid by the collector of the district from which the same shall be exported, without any deduction or abatement.

and how to
be allowed.

Sec. 57. *Provided always, and be it further enacted*, That in order to entitle the exporter or importers of any goods, wares or merchandize, to the benefit of the said drawbacks or allowances, he or she shall, previous to putting or lading the same on board of any ship or vessel for exportation, give twenty-four hours notice at least to the collector of the district from which the same are about to be exported, of his, her or their intention to export the same, and of the particulars thereof, and of the casks, cases, chests, boxes and other packages or parcels containing the same, or in which the same consist, and of their respective marks, numbers and contents, and if imported articles, of the ship or ships, vessel or vessels in which the person or persons for or by whom, and the place or places from which they were imported. And in respect to the said imported articles, proof shall be made to the satisfaction of the collector, by the oaths of the person or persons

cluding the said exporter or exporters) through whose hands the said articles shall have passed, according to the best of their knowledge and belief, respecting the due importation of the said articles according to law, and in conformity with such notice of their identity, and of the payment or securing the payment of the duties thereon. And in respect to the said dried and pickled fish and salted provisions, proof shall be made to the satisfaction of the said collector, according to the circumstances of the case, that the same, if they are of the fisheries of the United States; if such provisions, were salted within the United States. And the said collector shall inspect or cause to be inspected, the goods, wares or merchandise so notified for exportation; and if they shall be found to correspond with the notice and description concerning the same, the said collector shall grant a permit for lading the same on board the ship or vessel named in such notice, which lading shall be performed under the superintendance of an officer by whom the same shall have been so inspected. And the said exporter or exporters shall make oath that the said goods so noticed for exportation, and laden on board the said ship or vessel, are truly intended to be exported to the place whereof notice shall have been given, and are not intended to be re-landed within the United States; and shall give bond, with one or more sureties to the satisfaction of the said collector, in a sum equal to the amount of the drawbacks or allowances on such goods, with condition that the said goods, or any part thereof shall not be re-landed in any port or place within the limits of the United States as settled by the late treaty of commerce.

Drawbacks,
how to be
allowed.

And provided further, That the said drawbacks and allowances shall not be paid until at least six

Exportation of goods entitled to drawback, how to be proved.

months after the exportation of the said goods and until the said exporter or exporters shall produce to the collector with whom such outward try is made, a certificate in writing of two reputable merchants at the foreign port or place which the same were landed, together with oath of the master and mate of the vessel in which they were exported, certifying the delivery thereof. But in case any vessel shall be cast away, meet with such unavoidable accidents as to prevent the landing such goods, a protest in due form law, made by the master and mate, or some of the seamen, or in case no such protest can be had then the oath of the exporter or exporters, one of them, shall be received in lieu of the other proofs herein directed, unless there shall be good reason to suspect the truth of such oath, in which case it shall and may be lawful for the collector to require such farther proof as the nature of the case may demand.

No drawback allowed, unless it amounts to twenty dollars;

Provided lastly, That no goods, wares or merchandize imported, shall be entitled to a drawback of the duties paid or secured to be paid thereon, unless such duties shall amount to twenty dollars at least; nor unless they shall be exported in the same casks, cases, chests, boxes or other packages, and from the district or port into which they were originally imported.

nor on pickled fish, &c. except it amounts to three dollars.

Sec. 58. *And be it further enacted,* That no duties shall be allowed to be paid by law on the exportation of dried or pickled fish, and of salted provisos, unless the same shall amount to three dollars at least upon one entry.

Sec. 59. *And be it further enacted,* That if any goods, wares or merchandize, entered for exportation, with intent to draw back the duties, or to obtain any allowance given by law on the exportation thereof, shall be landed in any port or place

within the limits of the United States as aforesaid, such goods, wares and merchandize, shall be subject to seizure and forfeiture, together with the ship or vessel from which such goods shall be landed and the vessels or boats used in landing the same; and all persons concerned therein, shall on conviction and conviction thereof, suffer imprisonment for a term not exceeding six months. And in case of discovery of frauds, and seizure of goods, wares and merchandize, reloaded contrary to law, the officers established by this act, shall have the same powers, and in case of seizure the same proceedings shall be had, as in the case of goods, wares and merchandize imported contrary to law: for measuring, weighing or gauging goods for exportation, the same fees shall be allowed as in cases upon the importation thereof.

Goods entitled to drawback or allowance, to be forfeited if landed after entry made.

Sec. 60. *And be it further enacted*, That if any goods, the duties upon which shall have been secured by bond, shall be re-exported by the importer thereof, and if the said bond shall remain due before the expiration of the time herebefore limited for payment of the drawback upon such goods, it shall be lawful for the collector of the district from which the said goods shall have been exported, to give farther credit for so much of the sum due upon such bond, as shall be equal to the amount of the said drawback, until the expiration of the said time limited for payment there-

Collectors may give further credit on bonds in cases of exportation

and the better to secure the collection of the duties,

Sec. 61. *Be it further enacted*, That the President of the United States be empowered to cause to be built and equipped, so many boats or cutters not exceeding ten, as may be necessary to be employed for the protection of the revenue, the expense whereof shall not exceed ten thousand dol-

President may order cutters to be built.

lars, which shall be paid out of the product of duties on goods, wares and merchandize, imported into the United States, and on the tonnage of ships or vessels.

How to be officered & manned.

Sec. 62. *And be it further enacted*, That there shall be to each of the said boats or cutters, a master, and not more than three mates, first, second, and third, four mariners and two boys; that the compensations and allowances to the officers, mariners and boys respectively, shall be to the master thirty dollars per month, and the subsistence of a captain in the army of the United States; to a first mate twenty dollars per month, to a second mate sixteen dollars per month, to a third mate fourteen dollars per month, and to a fourth mate the subsistence of a lieutenant in the army; to each mariner eight dollars per month, to each boy four dollars per month; and to each mariner and boy the same ration of provisions which is or shall be allowed to a soldier in the said army. The said allowances for subsistence to be paid in provisions or money at the contract prices, at the option of the Secretary of the Treasury.

Pay of officers, &c.

and to be appointed by the President.

Their duty.

Sec. 63. *And be it further enacted*, That the officers of the said boats or cutters, shall be appointed by the President of the United States, and shall respectively be deemed officers of the customs, and shall have power and authority to go on board every ship or vessel which shall arrive within the United States, or within four leagues of the coast thereof, if bound for the United States, and to search and examine the same and every part thereof, and to demand, receive and certify the manifests herein before required to be on board of every main ship or vessel, and to affix and put proper fastenings on the hatches and other communications with the holds of ships or vessels, and to remain on board the said ships or vessels until they arrive at their places of destination.

Sec. 64. *And be it further enacted,* That the collectors of the respective districts may, with the approbation of the Secretary of the Treasury, procure and employ such small open row and sail boats in each district, together with the requisite number of persons to serve in them, as shall be necessary for the use of the surveyors and inspectors in going on board of ships and vessels and otherwise, for the better detection of frauds; the expense of which shall be defrayed out of the product of duties.

Collectors
may employ
row boats.

Sec. 65. *And be it further enacted,* That if any officer of the customs shall directly or indirectly give or receive any bribe, reward or recompense for conniving, or shall connive at any false entry of any ship or vessel, or of any goods, wares or merchandize, and shall be thereof convicted, every such officer shall forfeit and pay a sum not less than one hundred, nor more than two thousand dollars for each offence; and any person giving or offering any bribe, recompense or reward for any such deception, collusion or fraud, shall forfeit and pay a sum not less than two hundred, nor more than two thousand dollars for each offence. And in all cases where an oath is by this act required from a master or other person having command of any ship or vessel, or from an owner or consignee of any goods, wares and merchandize, his or her factor or agent, if the person so swearing shall swear falsely, such person shall, on indictment and conviction thereof, be punished by fine or imprisonment, or both, in the discretion of the court before whom a conviction shall be had, so as the fine shall not exceed one thousand dollars, and the term of imprisonment shall not exceed twelve months.

Penalty on
officers re-
ceiving a
bribe, or
conniving
at a false en-
try.

On masters
of vessels or
others who
shall take a
false oath.

Sec. 66. *And be it further enacted,* That all penalties accruing by any breach of this act, shall be paid for and recovered with costs of suit, in the

Mode of
prosecuting
& recover-
ing penal-
ties & for-
feitures.

name of the United States of America, in court proper to try the same, and the trial of fact which may be put in issue, shall be within judicial district in which any such penalty shall be accrued, and the collector, within whose district the seizure shall be made, is hereby authorized and directed to cause suits for the same to be commenced and prosecuted to effect, and to receive, distribute and pay the sum or sums recovered, after first deducting all necessary costs and charges according to law. And that all ships or vessels, goods, wares or merchandize, which shall be forfeited by virtue of this act, shall be seized, impounded and prosecuted as aforesaid, in the court having cognizance thereof; which collector shall cause fourteen days notice to be given of such seizure and libel, by causing the substance of such libel, with the order of the court thereon, set forth the time and place appointed for trial, to be inserted in some newspaper, published near the place of seizure, and also by posting up the same in the most public manner for the space of fourteen days, at or near the place of trial, for which advertisement a sum not exceeding ten dollars may be paid; and proclamation shall be made in the manner as the court shall direct; and if no person shall appear to claim such ship or vessel, goods, wares or merchandize, the same shall be adjudged to be forfeited; but if any person shall appear before such judgment of forfeiture, and claim such ship or vessel, goods, wares or merchandize, and shall give bond to defend the prosecution thereof, and to respond the cost in case he shall not support his claim, the court shall proceed to try and determine the cause according to law: and upon the prayer of any claimant to the court, if any ship or vessel, goods, wares or merchandize so seized and prosecuted, or any part thereof shall be delivered to such claimant, it shall be law-

the court to appoint three proper persons to appraise such ship or vessel, goods, wares or merchandize, who shall be sworn in open court for the faithful discharge of their duty; and such appraisement shall be made at the expence of the party on whose prayer it is granted; and on the return of such appraisement, if the claimant shall, with one or more sureties, to be approved of by the court, execute a bond in the usual form, to the United States, for the payment of a sum, equal to the sum at which the ship or vessel, goods, wares or merchandize, so prayed to be delivered, is appraised, the court shall by rule, order such ship or vessel, goods, wares or merchandize, to be delivered to the said claimant, and the said bond shall be lodged with the proper officer of the court; and if judgment shall pass in favor of the claimant, the court shall cause the said bond to be cancelled; but if judgment shall pass against the claimant, as to the whole or any part of such ship or vessel, goods, wares or merchandize, and the claimant shall not within twenty days thereafter, pay into the court the amount of the appraised value of such ship or vessel, goods, wares or merchandize so condemned, with the costs, the bond shall be put in suit. And when any prosecution shall be commenced on account of the seizure of any ship or vessel, goods, wares or merchandize, and judgment shall be given for the claimant or claimants; if it shall appear to the court before whom such prosecution shall be tried, that there was a reasonable cause of seizure, the same court shall cause a proper certificate or entry to be made thereof, and in such case the claimant shall not be entitled to costs, nor shall the person who made the seizure, or the prosecutor be liable to action, suit or judgment, on account of such seizure or prosecution. *Provided*, That the ship or vessel, goods, wares or merchandize, be after

Mode of
 prosecuting
 & recovering
 penalties
 & forfeitures.

judgment, forthwith returned to such claimant or claimants, his, her or their agents: *And provided*, That no action or prosecution shall be maintained in any case under this act, unless the same shall have been commenced, within three years next after the penalty of forfeiture was incurred.

Vessels or goods condemned, how to be sold.

Sec. 67. *And be it further enacted*, That all ships, vessels, goods, wares or merchandize, which shall be condemned by virtue of this act, shall be sold by the proper officer of the court in which such condemnation shall be had, to the highest bidder at public auction, by order of such court, and at such place as the court may appoint, giving at least fifteen days notice (except in case of perishable goods) in one or more of the public newspapers at the place where such sale shall be, or if no paper is published in such place, in one or more of the papers published in the nearest place therefor which advertising a sum not exceeding five dollars shall be paid.

Appropriation of fines, penalties & forfeitures.

Sec. 68. *And be it further enacted*, That all penalties, fines and forfeitures, recovered by virtue of this act, (and not otherwise appropriated) shall after deducting all proper costs and charges, be disposed of as follows: One moiety shall be for the use of the United States, and paid into the treasury thereof; the other moiety shall be divided into equal parts, and paid to the collector and naval-officer of the district, and surveyor of the port wherein the same shall have been incurred, or to such of the said officers as there may be in the said district; and in districts where only one of the aforesaid officers shall have been established, the said moiety shall be given to such officer: *Provided nevertheless*, That in all cases where such penalties, fines and forfeitures shall be recovered in pursuance of information given to such collector, or any person other than the naval-officer or surveyor

the district, the one half of such moiety shall be given to the informer, and the remainder thereof shall be disposed of between the collector, naval-officer and surveyor or surveyors, in manner aforesaid.

Sec. 69. *And be it further enacted,* That no dutiable goods, wares or merchandize of foreign growth or manufacture, subject to the payment of duties, shall be brought into the United States from any foreign port or place in any other manner than by vessel, nor in any ship or vessel of less than thirty tons burthen, except within the district of Louisiana, nor shall be landed or unladen at any other place than is by this act directed, under the penalty of seizure and forfeiture of all such vessels, and the goods, wares or merchandize brought in, landed or unladen, in any other manner. And all goods, wares and merchandize brought into the United States by land, contrary to this act, shall be forfeited, together with the carriages, horses and oxen that shall be employed in conveying the same; provided nothing herein shall be construed to extend to household furniture and other things, belonging to any person or persons actually removing into any part of the United States, for the purpose of becoming an inhabitant or inhabitants thereof.

Dutiable goods of foreign growth or manufacture brought into the United States, except by sea and in certain vessels, subject to forfeiture

Sec. 70. *And be it further enacted,* That all matters by this act directed to be done to or by the collector of a district, shall and may be done to or by the person who in the cases specified in this act is or may be authorized to act in the place or stead of the said collector.

Collectors may act by deputies.

Sec. 71. *And be it further enacted,* That whenever an oath is required by this act, persons conscientiously scrupulous shall be permitted to affirm.

Affirmation may be taken instead of an oath.

Vessels
bound to fo-
reign ports
to deliver
manifests of
their car-
goes.

Sec. 72. *And be it further enacted,* That the master or person having the charge or command of a ship or vessel bound to a foreign port or place, shall deliver to the collector of the district from which such ship or vessel shall be about to depart a manifest of the cargo on board the same, and shall make oath or affirmation to the truth thereof, whereupon the said collector shall grant a clearance for the said ship or vessel, and her cargo, but without specifying the particulars thereof, unless required by the said master or person having the charge or command. And if any ship or vessel bound to a foreign port or place, shall depart on her voyage to such foreign port or place without such clearance, the said master or person having the said charge or command, shall forfeit and pay the sum of two hundred dollars for such offence.

Penalty for
neglect of
clearance.

Former acts
repealed.

Sec. 73. *And be it further enacted,* That as from the first day of October next, the act, intituled "An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels and on goods, wares and merchandizes imported into the United States," and also all other acts or parts of acts coming within the purview of the said act, shall be repealed, and thenceforth cease to operate, except as to the continuance of the office appointed in pursuance of the said act; except so far as to the recovery and receipt of such duties on goods, wares and merchandize, and on the tonnage of ships or vessels, as shall have accrued, and as to the payment of drawbacks and allowances in lieu thereof, upon the exportation of goods, wares or merchandize which shall have been imported, and as to the recovery and distribution of fines, penalties and forfeitures which shall have been incurred before or upon the said day, subject nevertheless to the alterations contained and expressed in this present act.

Exceptions.

and whereas by the act, intituled, " An act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares and merchandizes imported into the United States," it was declared that the ruble of Russia should be rated at one hundred cents, and by the act intituled, " An act to explain and amend an act intituled, " An act for registering and clearing vessels, regulating the coasting trade, and for other purposes," that part of the said first mentioned act which so rated the ruble of Russia was repealed and made null and void. And whereas it is doubtful whether the said repeal can operate with respect to duties incurred prior thereto, as was intended by Congress:

Declaration
respecting
the ruble of
Russia.

Sec. 74. *Therefore be it enacted and declared,* that the said repeal shall be deemed to operate in respect to all duties which may have arisen or accrued prior thereto.

EDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, August the fourth, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XXXVI.

An ACT to continue in force for a limited Time, an Act, intituled, "An act for the temporary Establishment of the POST-OFFICE."

Former act declared in force till the next session.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act passed the last session of Congress, intituled, "An act for the temporary establishment of the post-office," be, and the same hereby is continued in force until the end of the next session of Congress, and no longer.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States*

and President of the Senate.

APPROVED, August the fourth, 1790.

GEORGE WASHINGTON

President of the United States.

CHAPTER XXXVII.

An ACT for the Relief of JOHN STEWART and JOHN DAVIDSON.

Remission of duty on a certain quantity of salt.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the duties accrued on eighteen hundred bushels of salt, imported on the ship Mercury, into the port of Annapolis in the state of Maryland, some time in the month of April last, on account of Messieurs John Stewart and John Davidson, as relates to thirteen hundred

twenty-five bushels thereof, which were casually destroyed by a flood on the night of the same day in which the said salt was landed and stored, shall be remitted, and the same are hereby remitted.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, August the fourth, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XXXVIII.

ACT to provide more effectually for the Settlement of the Accounts between the United States and the individual States.

SECTION I. **B**E it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a board, to consist of three commissioners, be, and hereby is established to settle the accounts between the United States, and the individual states; and the determination of a majority of the said commissioners of the claims submitted to them, shall be final and conclusive; and they shall have power to employ a number of clerks as they may find necessary.

Board of 3 commissioners to be appointed,

SECTION 2. *And be it further enacted,* That the said commissioners shall respectively take an oath or affirmation before the chief justice of the United States, or one of the associate or district judges, they will faithfully and impartially execute the duties of their office. And they shall each of them be entitled to receive at the rate of two thousand hundred and fifty dollars per annum, payable quarterly yearly at the treasury of the United States, for their respective services.

who are to take an oath;

their salary.

Mode of
procedure
in examin-
ing claims.

Sec. 3. *And be it further enacted,* That it shall be the duty of the said commissioners to receive and examine all claims which shall be exhibited to them before the first day of July, one thousand seven hundred and ninety-one, and to determine on such as shall have accrued for the general or particular defence during the war, and on the evidence thereof, according to the principles of general equity (although such claims may not be sanctioned by the resolves of Congress, or supported by regular vouchers) so as to provide for the final settlement of all accounts between the United States and the states individually; but no evidence of a character heretofore admitted by a commissioner of the United States for any state or district, shall be subject to such examination; nor shall the claim of any citizen be admitted as a charge against the United States in the account of any state, unless the same was allowed by such state before the twenty-fifth day of September, one thousand seven hundred and eighty-eight.

To liquidate
to specie value
credits
and debits
of certain
states.

Sec. 4. *And be it further enacted,* That it shall be the duty of the said commissioners to examine and liquidate to specie value, on principles of equity, the credits and debits of the states already in the books of the treasury for bills of credit subsequent to the eighteenth of March, one thousand seven hundred and eighty.

On the final
settlement,
aggregate
of all the
balances to
be appor-
tioned be-
tween the
states.

Sec. 5. *And be it further enacted,* That the said commissioners shall debit each state with all advances which have been, or may be made to it by the United States, and with the interest thereon to the last day of the year one thousand seven hundred and eighty-nine, and shall credit each state for its disbursements and advances on the principles contained in the third section of this act, with interest to the day aforesaid, and having struck the balance due to each state, shall find the aggregate of all

ances, which aggregate shall be apportioned between the states agreeably to the rule herein assigned; and the difference between such apportionments, and the respective balances, shall be carried in a new account to the debit or credit of the states respectively, as the case may be.

Sec. 6. *And be it further enacted,* That the rule of apportioning to the states the aggregate of the balances first abovementioned, shall be the same that is prescribed by the Constitution of the United States, for the apportionment of representation and direct taxes, and according to the first enumeration which shall be made.

The rule of apportionment.

Sec. 7. *And be it further enacted,* That the states which shall have balances placed to their credit on the books of the treasury of the United States, and which within twelve months after the same shall have been so credited, be entitled to have the same funded upon the same terms with the other part of the public debt of the United States; but the balances so credited to any state shall not be transferrable.

Creditor states to have their balances funded.

Sec. 8. *And be it further enacted,* That the clerks employed, or to be employed by the said commissioners, shall receive like salaries as clerks employed in the treasury department.

Salaries of the clerks:

Sec. 9. *And be it further enacted,* That the powers of the said commissioners shall continue until the first day of July, one thousand seven hundred and ninety-two, unless the business shall be sooner accomplished.

Continuance of the commissioners powers.

FREDERICK AUGUSTUS MUHLENBERG,

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, August the fifth, 1790.

GEORGE WASHINGTON,

President of the United States.

CHAPTER XXXIX.

An ACT making further Provision for the PAYMENT of the DEBTS of the United States.

Recital.

WHEREAS, by an act, intituled, " An Act for laying a duty on goods, wares and merchandizes imported into the United States divers duties were laid on goods, wares and merchandize so imported, for the discharge of the debts of the United States, and the encouragement and protection of manufactures: And whereas the support of government and the discharge of said debts, render it necessary to encrease the duties:

From and after the 1st of Dec. next, the present duties on certain specified articles cease, & other duties imposed in lieu thereof.

Section 1. BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after last day of December next, the duties specified laid in and by the act aforesaid, shall cease and termine; and that upon all goods, wares and merchandize (not herein particularly excepted) which after the said day shall be brought into the United States, from any foreign port or place, there shall be levied, collected and paid the several and respective duties following, that is to say: Madeira wine of the quality of London particular, per gallon, thirty-five cents; other Madeira wine, per gallon, thirty cents; Sherry wine, per gallon, twenty cents; other wines, per gallon, twenty cents; distilled spirits, if more than ten per cent. below proof according to Dycas's hydrometer, per gallon, twenty cents; if more than five, and not more than ten per cent. below proof, according to the same hydrometer, per gallon, twelve and an half cents; of proof, and not more than five per cent. below proof, according to the same hydrometer, per gallon, thirteen cents; if above proof, but not exceeding twenty per cent. according to the same hydrometer, per gallon, fifteen cents; if of more than

vnty, and not more than forty per cent. above
 of, according to the same hydrometer, per gal-
 o, twenty cents; if of more than forty per cent.
 ve proof, according to the same hydrometer,
 e gallon, twenty-five cents; molasses, per gallon,
 he cents; beer, ale and porter in casks, per gal-
 o five cents; beer, ale and porter in bottles,
 e dozen, twenty cents. Teas from China and
 a, in ships or vessels of the United States, bo-
 per pound, ten cents; fouchong and other
 k teas, per pound, eighteen cents; hyson, per
 nd, thirty-two cents; other green teas, per
 nd, twenty cents: Teas from Europe, in ships
 effels of the United States, bohea, per pound,
 ve cents; fouchong and other black teas, per
 nd, twenty-one cents; hyson, per pound, forty
 s; other green teas, per pound, twenty four
 s: Teas from any other place, or in any other
 s or vessels, bohea per pound, fifteen cents; fou-
 ng and other black teas per pound, twenty-se-
 cents; hyson per pound, fifty cents; other
 n teas per pound, thirty cents; coffee per
 nd, four cents; cocoa per pound, one cent;
 ' sugar per pound, five cents; brown sugar per
 nd, one and an half cent; other sugar per
 nd, two and an half cents; candles of tallow per
 nd, two cents; candles of wax or spermaceti per
 nd, six cents; cheese per pound, four cents;
 o per pound, two cents; pepper per pound, six
 ts; pimento per pound, four cents; manufac-
 ed tobacco per pound, six cents; snuff per
 nd, ten cents; indigo per pound, twenty-five
 ts; cotton per pound, three cents; nails and
 es per pound, one cent; barr and other lead per
 nd, one cent; steel unwrought per one hun-
 d and twelve pounds, seventy-five cents; hemp
 one hundred and twelve pounds, fifty-four
 ts; cables per one hundred and twelve pounds,
 : hundred cents; tarred cordage per one hun-

From and
 after the 1st
 of Dec. next,
 the present
 duties on
 certain spe-
 cified arti-
 cles to cease,
 and other
 duties im-
 posed in lieu

dred and twelve pounds, one hundred cents; tanned cordage and yarn per one hundred and two pounds, one hundred and fifty cents; twine and pack thread per one hundred and twelve pounds, three hundred cents; salt per bushel, twelve cents; meal per bushel, ten cents; coal per bushel, three cents; boots per pair, fifty cents; shoes, slippers and gaiters, made of leather, per pair, seven cents; shoes and slippers made of silk or stuff, per pair, five cents; wool and cotton cards, per dozen, five cents; playing cards, per pack, ten cents; all China ware, looking glasses, window and other glass and all manufactures of glass, (black quart bottles excepted) twelve and an half per centum ad valorem; marble, slate and other stones, bricks, tiles, tables, mortars and other utensils of marble or stone and generally all stone and earthen ware, blank books, writing paper, and wrapping paper, paper hangings, paste-boards, parchment and vellum, pictures and prints, painters colors, including lake black, except those commonly used in dying, gold, silver and plated ware, gold and silver lace, jewelry and paste work, clocks and watches, shoe buckles, grocery, (except the articles herein enumerated) namely, cinnamon, cloves, mace, nutmegs, ginger, anniseed, currants, dates, figs, plums, prunes, raisins, sugar-candy, oranges, lemons, limes and generally, all fruits and comfits, olives, capers and pickles of every sort, oil, gun-powder, mustard in flour, ten per centum ad valorem; cabinet wares, buttons, saddles, gloves of leather, hats of beaver, felt, wool, or a mixture of any of the millenary ready made, castings of iron, and rolled iron, leather tanned or tawed, and all manufactures of which leather is the article of chief value, except such as are herein otherwise rated, canes, walking-sticks and whips, cloathing ready made, brushes, anchors, all wares of pewter, or copper, all or any of them, medicinal

Also on certain other articles certain rates per centum ad valorem.

ings, except those commonly used in dying, carpets and carpeting, all velvets, velverets, fattins and other wrought silks, cambrics, muslins, mullinets, muslins, laces, gauzes, chintzes, and colored callimans, and nankeens, seven and an half per centum ad valorem. All goods, wares and merchandize imported directly from China or India in ships or vessels not of the United States, teas excepted, five and an half per centum ad valorem. All coaches, chariots, phaetons, chaises, chairs, sofas and other carriages, or parts of carriages, fifteen and an half per centum ad valorem; and five per centum ad valorem upon all other goods, wares and merchandize, except bullion, tin in pigs, tin plates, old pewter, brass teutenague, iron and brass pipes, copper in plates, salt petre, plaister of Paris, dyes, dying woods, and dying drugs, raw hides and skins, undressed furs of every kind, the sea-birds of ships or vessels, the cloaths, books, household furniture, and the tools or implements of the trade or profession of persons who come to reside in the United States, philosophical apparatus, spectacles imported for any seminary of learning, all goods intended to be re-exported to a foreign port or place, in the same ship or vessel in which they were imported, and generally, all articles of the growth, product or manufactures of the United States.

On certain other articles certain rates per centum ad valorem.

Sec. 2. *And be it further enacted,* That an additional duty of ten per centum shall be made to the several rates of duties above specified and imposed, in respect to all goods, wares and merchandize, which shall be imported on or after the said last day of December next, shall be imported in ships or vessels not of the United States, except in the cases in which an additional duty is herein before specially laid on any goods, wares, or merchandizes, which shall be imported in such ships or vessels.

Also an additional duty of 10 per centum on all the rates of duty before specified.

Drawback for goods exported within 12 months.

Sec. 3. *And be it further enacted,* That all duties which shall be paid or secured to be paid by virtue of this act, shall be returned or discharged in respect to all such goods, wares or merchandize, whereupon they shall have been so paid, or secured to be paid, as, within twelve calendar months after payment made or security given, shall be exported to any foreign port or place, except one per centum on the amount of the said duties, which shall be retained as an indemnification for whatever expense may have accrued concerning the same.

Bounty on exportation of dried or pickled fish, and salted provisions.

Sec. 4. *And be it further enacted,* That there shall be allowed and paid on dried and pickled fish, the fisheries of the United States, and on other provisions salted within the said states, which after the said last day of December next shall be exported to any foreign port or place, in lieu of a drawback of the duty on the salt which shall have been expended thereupon, according to the following rates—namely: Dried fish per quintal, ten cents; pickled fish and other salted provisions per barrel, ten cents.

Duties or drawback on a specific quantity of goods, to apply in proportion as to other quantities.

Sec. 5. *And be it further enacted,* That where duties by this act are imposed, or drawbacks allowed on any specific quantity of goods, wares or merchandize, the same shall be deemed to apply in proportion to any quantity, more or less, than the specific quantity.

Duties accruing within a certain time remitted.

Sec. 6. *And be it further enacted,* That all duties which by virtue of the act, intituled, "An act for laying a duty on goods, wares and merchandizes imported into the United States," accrued between the time specified in the said act for the commencement of the said duties, and the respective times when the collectors entered upon the duties of their respective offices in the several districts, be, and they are hereby remitted and discharged, and that in any case in which they may

...e been paid to the United States, restitution thereof shall be made.

Sec. 7. And be it further enacted, That the several duties imposed by this act shall continue to be collected and paid, until the debts and purposes for which they are pledged and appropriated, shall be discharged: *Provided,* That nothing herein contained shall be construed to prevent the legislature of the United States from substituting other duties or taxes of equal value to any or all of the duties and imposts.

Continuance of the duty by this act imposed.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.
JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, August the tenth, 1790.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XL.

ACT to enable the Officers and Soldiers of the Virginia Line on continental Establishment, to obtain titles to certain Lands lying North-west of the River Ohio, between the Little Miami and Sciota.

Section 1. BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of Congress of the seventeenth of July, one thousand seven hundred and eighty-eight, relative to certain locations and surveys made by, or on account of the Virginia troops on continental establishment upon lands between the Little Miami and Sciota rivers, North-west of the Ohio, be, and the same is hereby repealed.

Act of former Congress repealed.

And whereas the agents for such of the troops of the state of Virginia, who served on the continental establishment in the army of the United

Recital.

Recital.

States, during the late war, have reported to the executive of the said state, that there is not a sufficiency of good land on the south-easterly side of the river Ohio, according to the act of cession from the said state to the United States, and within the limits assigned by the laws of the said state, to satisfy the said troops for the bounty lands due to them in conformity to the said laws : to the intent therefore that the difference between what has already been located for the said troops, on the south-easterly side of the said river, and the aggregate of what is due to the whole of the said troops, may be located on the north-westerly side of the river, and between the Sciota and Little Miami rivers, as stipulated by the said state :

Secretary at war to make return to the executive of Virginia of those entitled to bounty lands.

Sec. 2. *Be it further enacted*, That the secretary of the department of war, shall make return to the executive of the state of Virginia of the names of such of the officers, non-commissioned officers and privates of the line of the said state, who served in the army of the United States, on the continental establishment, during the late war, and who in conformity to the laws of the said state, are entitled to bounty lands ; and shall also in such return state the aggregate amount in acres due to the said line of the laws aforesaid.

Agents to locate certain for the use of the troops ;

Sec. 3. *And be it further enacted*, That it shall and may be lawful for the said agents to locate and for the use of the said troops, between the rivers Sciota and Little Miami, such a number of acres of good land, as shall, together with the number already located between the said two rivers, and the number already located on the south-easterly side of the river Ohio, be equal to the aggregate amount, so to be returned as aforesaid by the secretary of the department of war.

Sec. 4. *And be it further enacted*, That the said agents, as soon as may be after the locations, surveys and allotments are made and completed, shall

er in regular order, in a book to be by them and to enter in a book the bounds of each location and survey. provided for that purpose, the bounds of each location and survey between the said two rivers, annexed to the name of the officer, non-commissioned officer or private originally entitled to each; which entries being certified by the said agents or the majority of them, to be true entries, the book containing the same shall be filed in the office of the Secretary of State.

Sec. 5. *And be it further enacted,* That it shall be lawful for the President of the United States to cause letters patent to be made out in such words and form as he shall devise and direct, granting to the person so originally entitled to bounty lands, or his use, and to the use of his heirs or assigns, or their legal representative or representatives, whether or their heirs or assigns, the lands designated in the said entries: *Provided always,* That before the seal of the United States shall be affixed to such letters patent, the Secretary of the department of War shall have indorsed thereon that the grantee therein named, was originally entitled to such bounty lands, and that he has examined the bounds thereof with the book of entries filed in the office of the Secretary of State, and finds the same truly ascertained; and every such letters patent shall be countersigned by the Secretary of State, and a minute of the date thereof, and of the name of the grantee shall be entered of record in his office, in a book to be specially provided for the purpose.

Sec. 6. *And be it further enacted,* That it shall be the duty of the Secretary of State, as soon as may be after the letters patent shall be so completed and entered of record, to transmit the same to the executive of the state of Virginia, to be by them delivered to each grantee; or in case of his death, or if the right of the grantees shall have been legally transferred before such delivery, then to his legal representative or representatives, or to one of them.

President to cause letters patent to be made out to those entitled to bounty lands.

Secretary of state to transmit the same to the executive of Virginia.

Letters patent obtained without fees.

Sec. 7. *And be it further enacted,* That no shall be charged for such letters patent and record the grantees, their heirs or assigns, or to his or the legal representative or representatives.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives
JOHN ADAMS, *Vice-President of the United States*
and President of the Senate

APPROVED, August the tenth, 1790.

GEORGE WASHINGTON
President of the United States

CHAPTER XLI.

An ACT authorizing the Secretary of the Treasury to finish the LIGHT-HOUSE on Portland-Head in the District of Maine.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be appropriated paid out of the monies arising from the duties on imports and tonnage, a sum not exceeding five hundred dollars, for the purpose of finishing a light-house on Portland-Head, in the district of Maine; and that the Secretary of the Treasury under the directions of the President of the United States, be authorized to cause the said light-house to be finished and completed accordingly.

1500 dols. appropriated.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives
JOHN ADAMS, *Vice-President of the United States*
and President of the Senate

APPROVED, August the tenth, 1790.

GEORGE WASHINGTON
President of the United States

CHAPTER XLII.

ACT to alter the Times for holding the Circuit Courts of the United States in the Districts of South-Carolina and Georgia, and providing that the District Court of Pennsylvania, shall in future be held at the city of Philadelphia only.

SECTION 1. **B**E it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the circuit courts when and where to be held. Courts of the United States in the districts of South-Carolina and Georgia, shall for the future be held as follows, to wit: In the district of South-Carolina on the twenty-fifth day of October next, at Charleston, and in each succeeding year at Columbia on the twelfth day of May, and in Charleston on the twenty-fifth day of October; in the district of Georgia on the fifteenth day of October next, at Augusta, and in each succeeding year at Savannah on the twenty-fifth day of April, and at Augusta on the fifteenth day of October; except when any of those days shall happen to be Sunday, in such case the court shall be held on the Monday following. And all process that was returnable under the former law at Charleston, on the first day of October next, and at Augusta on the seventh day of October, shall now be deemed returnable respectively at Charleston on the twenty-fifth day of October next, and at Augusta on the fifteenth day of October next; any thing in the former law to the contrary notwithstanding.

SECTION 2. *And be it further enacted,* That so much of the act, entitled, "An act to establish the judicial courts of the United States," as directs that the district court for the district of Pennsylvania shall be held at Yorktown in the said state, be repealed;

Part of a former act repealed.

and that in future the district court for Pennsylvania be held in the city of Philadelphia.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives

JOHN ADAMS, *Vice-President of the United States*
and President of the Senate

APPROVED, August the eleventh, 1790.

GEORGE WASHINGTON,
President of the United States

CHAPTER XLIII.

An ACT declaring the Assent of Congress to certain Acts of the States of Maryland, Georgia, Rhode-Island and Providence Plantations.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress and is hereby declared to the operation of the of the several states herein after mentioned, so far as the same relate to the levying a duty on the tonnage of ships and vessels for the purposes therein mentioned until the tenth day of January next— is to say: an act of the General Assembly of the state of Rhode-Island and Providence Plantations at their session held in January, one thousand five hundred and ninety, intituled, “ An act to incorporate certain persons by the name of the Rhode-Island Machine Company, in the town of Providence and for other purposes therein mentioned ;” also, an act of the General Assembly of the state of Maryland, at their session in April, one thousand seven hundred and eighty-three, intituled, “ An act appointing wardens for the port of Baltimore-town in Baltimore county ;” as also, another act of the General Assembly of the same state, passed at their session in November, one thousand seven hundred and eighty-eight, intituled, “ A supplement to

Certain acts of several states, that relate to the tonnage of vessels declared to be in operation till the 10th of January next.

, intituled, "An act appointing wardens for the
 port of Baltimore-town in Baltimore county;" and
 also, an act of the state of Georgia, "for levying
 and appropriating a duty on tonnage, for the pur-
 pose of clearing the river Savannah, and removing
 the wrecks and other obstructions therein."

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, August the eleventh, 1790.

GEORGE WASHINGTON,
President of the United States.

C H A P T E R XLIV.

ACT for the Relief of disabled Soldiers and Sea-
 men lately in the Service of the United States, and
 of certain other Persons.

Section 1. **B**E it enacted by the Senate and House of
 Representatives of the United States of
 America in Congress assembled, That Stephen Ca-
 le, Jeremiah Ryan, Joseph M^cGibbon, Samuel
 Currenson, Ephraim M^cCoy, Christian Khun, Da-
 vid Steele, Joseph Shuttlieff, and Daniel Culver,
 disabled foldiers lately in the service of the United
 States, be allowed pensions at the rate of five dol-
 lars per month from the time their pay in the army
 respectively ceased. That Christian Wolfe, a disa-
 bled foldier, be allowed a pension at the rate of
 four dollars per month from the date of his dis-
 charge. That Edward Scott, a disabled foldier,
 be allowed a pension at the rate of three dollars per
 month from the date of his discharge. That David
 Weaver and George Schell, disabled foldiers, be
 each allowed a pension, at the rate of two dollars
 per month, from the date of their respective dis-
 charges. That Seth Boardman, a disabled foldier,

Persons en-
 titled to
 pensions, &
 at what
 rate.

Persons entitled to pensions, & at what rate.

be allowed a pension, at the rate of three dollars and one third of a dollar per month, from the seventeenth day of March, one thousand seven hundred and eighty-six. That Severinus Koch, a disabled captain of colonel Jacob Klock's regiment New-York militia, be allowed a pension, at the rate of five dollars per month, from the twentieth day of August, one thousand seven hundred and seventy-seven. That John Younglove, a disabled major of colonel Lewis Van Woort's regiment of New-York militia, be allowed a pension at the rate of six dollars per month, from the thirtieth day of July, one thousand seven hundred and eighty-one. That William White, a disabled private of colonel Williams regiment of New-York militia, be allowed a pension, at the rate of three dollars and one third of a dollar per month, from the first day of April, one thousand seven hundred and eighty-four. That Jacob Newkerk, a disabled foldier of colonel John Harper's regiment of New-York state troops, be allowed a pension, at the rate of three dollars per month, from the twenty-second day of October, one thousand seven hundred and eighty. That David Poole, a disabled seaman lately in the service of the United States, be allowed a pension of five dollars per month, to commence on the first day of March, one thousand seven hundred and eighty-nine.

Sum granted, and pension allowed to Caleb Brewster;

Sec. 2. *And be it further enacted,* That Caleb Brewster, lately a lieutenant, who was wounded and disabled in the service of the United States, be allowed three hundred forty-eight dollars and fifty-seven cents, the amount of his necessary expenses for sustenance and medical assistance, while dangerously ill of his wounds, including the interest on the first of July, one thousand seven hundred and ninety. And that the said Brewster be allowed a pension equal to his half pay as lieutenant, from the third of November, one thousand seven hundred

ded and eighty three, he first having returned his commutation of half pay.

Sec. 3. *And be it further enacted*, That Nathaniel Cove, a disabled lieutenant, lately in the service of the United States, be allowed a pension, at the rate of six dollars and two thirds of a dollar per month, from the twentieth of May, one thousand seven hundred and seventy-eight, to the first day of July, one thousand seven hundred and eighty-six, and that he be allowed at the rate of thirteen dollars and one third of a dollar per month, from the said first day of July, one thousand seven hundred and eighty-six.

Pension allowed to N. Cove.

Sec. 4. *And be it further enacted*, That the commissioner of army accounts be authorized and directed to settle the pay and depreciation of pay of John Stevens, a hostage in the late war at the calculation of the cedars, as a captain in the line of the army, and that he issue certificates accordingly. That he also issue a certificate to Charles Markley, lately a captain in Armand's corps, for the commutation of his half pay. That he also settle the accounts of James Derry, and Benjamin Hardison, who were made prisoners in Canada, in May, one thousand seven hundred and seventy-six, and forcibly detained in captivity among the Indians, and that he issue certificates for the balance of their pay respectively, to the third of November, one thousand seven hundred and eighty-three.

Commissioner of army accounts to settle pay, &c. of certain officers.

Sec. 5. *And be it further enacted*, That the several pensions mentioned in this act, due or to become due from the fifth of March, one thousand seven hundred and eighty-nine, shall be paid according to such laws as have been made, or shall be made relative to invalid pensioners: And that the arrears of the said pensions, due before the said fifth day of March, one thousand seven hundred and eighty-nine, shall be paid in such manner as Con-

The pensions to be paid according to laws made or that hereafter may be made.

gress may hereafter provide for paying the arrear of pensions.

Allowance
to S. Hard-
ing.

Sec. 6. *And be it further enacted*, That the shall be allowed to Seth Harding, for three month and ten days services on board the Alliance frigate during the late war, at the rate of sixty dollars per month, being the pay of a captain, to be paid out of the monies arising from imposts and tonnage.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, August the eleventh, 1790.

GEORGE WASHINGTON

President of the United States.

CHAPTER XLV.

An ACT for the Relief of the Persons therein mentioned or described.

Section 1. **B**E it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the register of the treasury shall, and is hereby required to grant unto Sarah, the widow of the late major-general Earl of Stirling, who died in the service of the United States, a certificate to entitle her to a sum equal to an annuity for seven years half pay of major-general, to commence as from the fourteenth day of January, one thousand seven hundred and eighty-three, in conformity to the act of the late Congress, passed on the twenty-fourth day of August, one thousand seven hundred and eighty; the amount for which the said certificate is to be granted to be ascertained by the Secretary of the Treasury and on similar principles as other debts of the United States are liquidated and certified,

Register of
the treasury
to grant a
certificate to
S. Stirling;

ec. 2. *And be it further enacted,* That the said Register shall grant unto Frances Eleanor Laurens, orphan daughter of the late lieutenant-colonel Laurens, who was killed whilst in the service of the United States, a certificate to entitle her to an equal to an annuity for seven years half pay of a lieutenant-colonel, to commence as from the twenty-fifth day of August, one thousand seven hundred and eighty-two, according to the act of the late Congress of the twenty-fourth day of August, one thousand seven hundred and eighty; the amount for which the said certificate is to be granted, to be ascertained by the Secretary of the Treasury in the manner aforesaid.

Register of
the treasury
to grant a
certificate to
Frances E.
Laurens;

and whereas no provision hath heretofore been made for discharging the arrears of pensions due to officers, non-commissioned officers, and soldiers, who were wounded and disabled whilst in the service of the United States: Therefore,

ec. 3. *Be it further enacted,* That each of the officers, non-commissioned officers and soldiers, who were so wounded and disabled, and who are now recorded on the books in the office of the secretary of the department of war, as a pensioner, or to be paid in conformity to any law of this Congress, shall receive from the register of the treasury, who is hereby required to grant the same, a certificate, which shall be liquidated and settled in such manner as the Secretary of the Treasury shall direct, for a sum equal to the pension annually due to him, to commence from the time he became entitled thereto, or from the time to which the same had been paid, as the case may be, which shall be ascertained and certified by the said secretary for the department of war, and which annuity shall be liquidated to the said day of March, one thousand seven hundred and eighty-nine, from which day the United States assumed the payment of the pensions certified

to invalid
pensioners.

by the several states. And in case of the death of any person so entitled, the certificate shall pass to his heirs or legal representative or representative

Register of
the treasury
to grant cer-
tificate to
widows and
orphans of
officers and
soldiers.

Sec. 4. *And be it further enacted*, That the widow or orphan of each officer, non-commissioned officer or soldier who was killed or died whilst in the service of the United States, and who is now placed in the books in the office of the said Secretary, entitled to a pension, by virtue of any act of the late Congress, or any law of this Congress, and to whom provision has not been made by any act, and to whom any arrears of such pension are due, and which have arisen prior to the said fourth day of March, one thousand seven hundred and eighty-nine, shall receive a certificate therefor in like manner, and on the same principles, as certificates by this act directed to be given to officers, commissioned officers and soldiers, who were wounded or disabled as aforesaid.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives

JOHN ADAMS, *Vice-President of the United States*
and *President of the Senate*

APPROVED, August the eleventh, 1790.

GEORGE WASHINGTON

President of the United States

CHAPTER XLVI.

An ACT making certain APPROPRIATIONS therein mentioned.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be appropriated to the purposes herein after mentioned, to be paid out of the monies arising from the duties on goods, wares, and merchandize imported, and on the tonnage of ships or vessels, the following sums—to wit: The sum

y-eight thousand eight hundred and ninety-two
 rs and seventy-five cents, towards discharging
 in debts contracted by Abraham Skinner, late
 missary of prisoners, on account of the subsis-
 e of the officers of the late army while in cap-
 y: The sum of forty thousand dollars, towards
 arging certain debts contracted by colonel
 othy Pickering, late quartermaster-general, and
 h sum was included in the amount of a war-
 drawn in his favor by the late superintendant
 e finances of the United States, and which
 ant was not discharged: The sum of one hun-
 and four thousand three hundred and twenty-
 dollars and twenty-two cents, for the several
 oses specified in an estimate accompanying the
 t of the Secretary of the Treasury of the fifth
 nt, including one thousand dollars for defray-
 ne expenses of certain establishments for the
 ity of navigation of the like nature with those
 ioned in the act, intituled, "An act for the
 ishment and support of light-houses, beacons,
 s and public piers," but not particularly speci-
 herein: The sum of one hundred and eighty-
 dollars and forty-two cents, for reimbursing
 ecretary at War an advance by him made on
 nt of George Morgan White Eyes, over and
 e the sum heretofore appropriated on account
 e said George Morgan White Eyes: The sum
 hundred and thirty-two dollars and eighty
 , for the services and expenses of Isaac Guion,
 oyed by direction of the President of the Uni-
 ates, in relation to the resolution of Congress
 e twenty-sixth of August last: The sum of
 one dollars and forty-seven cents, for reim-
 ng the treasurer of the United States the costs
 im paid on a protested bill: The sum of two
 red and fifty dollars, for the salary of an in-
 terpreter of the French language, employed in the
 ptment of state: The sum of three hundred and

Sum grant-
ed to A.
Skinner, &

T. Picker-
ing;

and for pur-
poses esti-
mated in a
report of the
secretary of
the treasury.

Sum granted for purposes estimated in a report of the secretary of the treasury.

twenty-six dollars and six cents, for sundry expenditures by Richard Phillips, on account of household of the late President of Congress, and certain unsatisfied claims against the same: sum of seven hundred and fifty dollars, towards compensating the late loan-officer of Pennsylvania for his services in relation to the re-exchange of certificates granted by the state of Pennsylvania, in lieu of certificates of the United States; which several sums so included in the said sum of one hundred and four thousand three hundred and twenty-seven dollars and twenty-two cents, are hereby authorized and granted: And the farther sum of fifty thousand dollars, towards discharging such demands on the United States, not otherwise provided for, as they have been ascertained and admitted in due course of settlement at the treasury and which are of the nature according to the usage thereof, to require payment in specie.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives

JOHN ADAMS, *Vice-President of the United States*

and President of the Senate

APPROVED, August the twelfth 1790.

GEORGE WASHINGTON

President of the United States

C H A P T E R XLVII.

An ACT making Provision for the Reduction of the
PUBLIC DEBT.

Recital.

IT being desirable by all just and proper means to effect a reduction of the amount of the public debt, and as the application of such surplus to the revenue as may remain after satisfying the purposes for which appropriations shall have been made by law, will not only contribute to the said desirable end, but will be beneficial to the cre

the United States, by raising the price of their
 and be productive of considerable saving to
 the United States :

Section 1. *BE it enacted by the Senate and House
 Representatives of the United States of America in
 Congress assembled,* That all such surplus of the pro-
 of the duties on goods, wares and merchan-
 imported, and on the tonnage of ships or ves-
 to the last day of December next, inclusively,
 all remain after satisfying the several purposes
 which appropriations shall have been made by
 to the end of the present session, shall be applied
 the purchase of the debt of the United States,
 at market price, if not exceeding the par or
 value thereof.

The surplus
 of the pro-
 duct of du-
 ties on
 goods and
 tonnage to
 Dec. next,
 to be applied
 to the pur-
 chase of the
 public debt,

Sec. 2. *And be it further enacted,* That the pur-
 chases to be made of the said debt, shall be made
 under the direction of the President of the Senate,
 the Chief Justice, the Secretary of State, the Secre-
 tary of the Treasury, and the Attorney-General
 at the time being ; and who, or any three of whom,
 in the approbation of the President of the United
 States, shall cause the said purchases to be made in
 the same manner, and under such regulations as shall
 appear to them best calculated to fulfill the intent
 of this act : *Provided,* That the same be made
 equally, and with due regard to the equal benefit
 to the several States : *And provided further,* That
 to avoid all risk or failure, or delay in the payment
 of interest stipulated to be paid for and during the
 term of one thousand seven hundred and ninety-one,
 by the act, intituled, " An act making provision
 for the debt of the United States," such reserva-
 tions shall be made of the said surplus as may be
 necessary to make good the said payments, as they
 respectively become due, in case of deficiency
 the amount of the receipts into the treasury dur-
 ing the said year, on account of the duties on goods,
 wares and merchandize imported, and the tonnage of
 ships or vessels, after the last day of December next.

By whose
 direction
 purchases
 are to be
 made ; and

in what
 manner,

The account of purchases to be settled as other public accounts.

Sec. 3. *And be it further enacted,* That account of the application of the said monies shall be rendered for settlement as other public accounts accompanied with returns of the amount of the debt purchased therewith, at the end of every quarter of a year, to be computed from the time of commencing the purchases aforesaid: and that an exact report of the proceedings of the said persons, or any three of them, including a statement of the disbursements and purchases made under their direction, specifying the times thereof, prices at which, and the parties from whom same may be made, shall be laid before Congress within the first fourteen days of each session which may ensue the present, during the execution of said trust.

Report of proceedings to be laid before Congress.

President authorized to borrow 2 millions of dollars,

Sec. 4. *And be it further enacted,* That the President of the United States be, and he is hereby authorized to cause to be borrowed, on behalf of the United States, a sum or sums not exceeding in the whole two millions of dollars, at an interest not exceeding five per cent. and that the sum or sums borrowed, be also applied to the purchase of the debt of the United States, under the like direction in the like manner, and subject to the like regulations and restrictions with the surplus aforesaid. *Provided,* that out of the interest arising on the debt to be purchased in manner aforesaid, there shall be appropriated and applied a sum not exceeding the rate of eight per centum per annum on account of principal and interest towards the repayment of the two millions of dollars so to be borrowed.

to be applied to the purchase of the debt.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives

JOHN ADAMS, *Vice-President of the United States*

and President of the Senate

APPROVED, August the twelfth, 1790.

GEORGE WASHINGTON

President of the United States

CONGRESS of the UNITED STATES :

AT THE SECOND SESSION,

and held at the City of New-York, on Monday
the fourth of January, one thousand seven
hundred and ninety.

RESOLVED *by the Senate and House of Representatives of the United States of America in Congress assembled,* that the President of the United States be requested to cause to be forthwith transmitted to the executives of the States of Virginia and North-Carolina, a complete list of officers, non-commissioned officers and privates of the lines of those States respectively, who are entitled to receive arrears of pay due for services in the years one thousand seven hundred and eighty-two, and one thousand seven hundred and eighty-three, annexing the particular sum that is due to each individual, with a request to the executives of the said States, to make known to the claimants in the most effectual manner, that the said arrears are ready to be discharged on proper application.

That the President of the United States be requested to cause the Secretary of the Treasury to take the necessary steps for paying (within the said States respectively) the money appropriated by Congress, on the twenty-ninth day of September, one thousand seven hundred and eighty-nine, for the discharging the arrears of pay due to the troops of the lines of the said States respectively.

That the Secretary of the Treasury, in cases where the payment has not been made to the original claimant in per-

son, or to his representative, be directed to take order making the payment to the original claimant, or to such person or persons only as shall produce a power of attorney duly attested by two justices of the peace of the county which such person or persons reside, authorizing him or them to receive a certain specified sum : except where certificates or warrants have been issued under authority of the United States for any of the said arrears of pay, and same shall be produced by the claimant or claimants.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives

JOHN ADAMS, *Vice-President of the United States
and President of the Senate*

APPROVED, June the seventh, 1790.

GEORGE WASHINGTON

President of the United States

RESOLVED *by the Senate and House of Representatives of the United States of America in Congress assembled.* That all treaties made, or which shall be made and promulgated under the authority of the United States, from time to time, be published and annexed to their collection of laws, by the Secretary of State.

FREDERICK AUGUSTUS MUHLENBERG

Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, June the fourteenth, 1790.

GEORGE WASHINGTON

President of the United States.

RESOLVED by the Senate and House of Representatives of the United States of America in Congress assembled, That the clerks in the office of the commissioner of army accounts, are entitled to receive for their services, a sum not exceeding five hundred dollars, to be paid in the same manner and at the same rate as the salary allowed to the clerks in the department of treasury: and that the auditor and comptroller be authorized to adjust the accounts of the clerks in the said office, upon the same principles as those of the treasury department, agreeably to the appropriation by law.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, August the second, 1790.

GEORGE WASHINGTON,
President of the United States.

RESOLVED by the Senate and House of Representatives of the United States of America in Congress assembled, That the expence of procuring seals for the supreme, circuit, and district courts of the United States, shall be defrayed out of the money appropriated by an act of the present session, for defraying the contingent charges of government.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, August the second, 1790.

GEORGE WASHINGTON,
President of the United States.

RESOLVED *by the Senate and House of Representatives of the United States of America in Congress assembled,*
That all surveys of lands in the Western Territory, made under the direction of the late geographer, Thomas Hutchins, agreeable to contracts for part of the said lands made with the late board of treasury, be returned to, and perfected by the Secretary of the Treasury, so as to complete the said contracts: and that the said Secretary be, and hereby authorized to direct the making and completion of any other surveys that remain to be made, so as to comply on the part of the United States with the several contracts aforesaid, in conformity to the terms thereof.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives
JOHN ADAMS, *Vice-President of the United States*
and President of the Senate

APPROVED, August the twelfth, 1790.

GEORGE WASHINGTON,
President of the United States

TREATY OF ALLIANCE
BETWEEN THE
UNITED STATES OF AMERICA
AND
HIS MOST CHRISTIAN MAJESTY.

ORIGINAL.

TREATY of ALLIANCE.

THE Most Christian King and the United States of North-America—to wit: New-Hampshire, Massachusetts-bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, having this day concluded a treaty of Amity and Commerce, for the reciprocal advantage of their subjects and citizens, have thought it necessary to take into consideration the means of strengthening those engagements, and rendering them useful to the safety and tranquility of the two parties; particularly in case Great-Britain in

ORIGINAL.

TRAITÉ D'ALLIANCE
eventuelle et défensive.

LE Roi très Chrétien et les Etats Unis de l'Amerique Septentrionale, savoir, New-Hampshire, la Baye de Massachusset, Rhode-Island, Connecticut, New-York, New-Jersey, Pensylvanie, Delaware, Maryland, Virginie, Caroline Séptentrionale, Caroline Meridionale, et Georgia; ayant conclu ce jourd'huy un traité d'amitié, de bonne intelligence et de commerce, pour l'avantager réciproque de leurs sujets et citoyens, ils ont cru devoir prendre en considération, les moyens de resserrer leurs liaisons, et de les rendre utiles à la sureté et à la tranquillité des deux parties, notamment dans le cas

resentment of that connection and of the good correspondence which is the object of the said treaty, should break the peace with France, either by direct hostilities, or by hindering her commerce and navigation in a manner contrary to the rights of nations, and the peace subsisting between the two crowns : And his Majesty and the said United States, having resolved in that case to join their councils and efforts against the enterprises of their common enemy, the respective plenipotentiaries empowered to concert the clauses and conditions proper to fulfil the said intentions, have, after the most mature deliberation, concluded and determined on the following articles :

ARTICLE I.

If war should break out between France and Great-Britain during the continuance of the present war between the United States and England, his Majesty and the said United States shall make it a common cause and aid each other mutually with their good offices, their counsels and their forces, accord-

où la Grande Bretagne, haine de ces mêmes liaisons et de la bonne correspondance qui forment l'objet dit traité, se porteroit à rompre la paix avec la France soit en l'attaquant hostillement, soit en troublant son commerce, et sa navigation d'une manière contraire au droit des gens et à la paix subsistante entre les deux couronnes : Et sa Majesté les dits Etats Unis ayant résolu éventuellement d'ajouter dans le cas prévu, leurs conseils et leurs efforts contre les entreprises de leur ennemi commun, les plénipotentiaires respectifs, chargés de concert les clauses et conditions propres à remplir les intentions, ont, après la plus mûre délibération conclu arrêté les points et articles qui s'ensuivent.

ARTICLE PREMIER.

Si la guerre éclate entre la France et la Grande Bretagne, pendant la durée de la guerre actuelle entre les Etats Unis et l'Angleterre, sa Majesté et les dits Etats Unis feront cause commune et s'entr'aideront mutuellement de leurs bons offices, de leurs conseils et de leurs forces, selon l'exigence

to the exigence of conjunctures, as becomes good and faithful allies.

conjonctures, ainſy qu'il convient à de bons et fideles alliés.

ARTICLE II.

The eſſential and direct end of the preſent deſenſive alliance is to maintain effectually the liberty, ſovereignty and independence abſolute and unlimited, of the United States, as well in matters of government as commerce.

ARTICLE SECOND.

Le but eſſentiel et direct de la préſente alliance déſenſive, eſt de maintenir efficacement la liberté, la ſouveraineté, et l'indépendance abſoluë et illimitée des dits Etats Unis, tant en matière politique que de commerce.

ARTICLE III.

The two contracting parties ſhall each on its own, and in the manner it judges moſt proper, make the efforts in its power aſſiſt their common enemy, in order to attain the end propoſed.

ARTICLE TROIS.

Les deux parties contractantes feront chacune de leur côté, et de la manière qu'elles jugeront plus convenable, tous les efforts, qui ſeront en leur pouvoir, contre leur ennemi commun, afin d'atteindre au but qu'elles ſe propoſent.

ARTICLE IV.

The contracting parties agree that in caſe either of them ſhould form any particular enterprize in which concurrence of the other may be deſired, the party whoſe concurrence is deſired ſhall readily and with good faith, join to act in concert for that purpoſe, as the circumſtances and its particular ſituation will

ARTICLE QUATRE.

Les parties contractantes ſont convenuës que dans le cas où l'une d'entre elles formeroit quelque entrepriſe particulière, pour laquelle deſireroit le concours de l'autre, celle-ci, ſe prêteroit de bonne foi à un concert ſur cet objet, autant que les circonſtances et ſa propre ſituation pourront le lui permettre, et dans ce cas, on

permit ; and in that case, they shall regulate, by a particular convention, the quantity and kind of succour to be furnished, and the time and manner of its being brought into action, as well as the advantages which are to be its compensation.

ARTICLE V.

If the United States should think fit to attempt the reduction of the British power, remaining in the northern parts of America, or the islands of Bermudas, those countries or islands in case of success, shall be confederated with, or dependant upon the said United States.

ARTICLE VI.

The Most Christian King renounces for ever the possession of the islands of Bermudas, as well as of any part of the continent of North America, which before the treaty of Paris in 1763, or in virtue of that treaty, were acknowledged to belong to the crown of Great-Britain, or to the United States, heretofore called British colonies, or which are at this time, or have lately been under the pow-

réglera, par une convention particulière, la portée des secours à fournir, et le temps et la manière de le faire : ainsi que les avantages qui sont destinés à en former la compensation.

ARTICLE CINQ.

Si les Etats-unis jugent à propos de tenter la réduction des îles Bermudes et des parties septentrionales de l'Amérique, qui sont en ce moment au pouvoir de la Grande-Bretagne, les dites îles et parties, en cas de succès, entreront dans la confédération ou seront dépendantes des dits Etats Unis.

ARTICLE SIX.

Le Roi très Chrétien renonce à posséder jamais les îles Bermudes, ni aucune partie du continent de l'Amérique septentrionale, avant le traité de Paris l'an mil sept cent soixante trois, ou en vertu de ce traité, qui ont été reconnus appartenir à la couronne de la Grande-Bretagne, ou aux Etats Unis qu'on appelloit ci-devant colonies Britanniques, ou qui sont maintenant, ou ont été récemment sous la jurif-

f the king and crown
Great-Britain.

tion et sous le pouvoir de la
couronne de la Grande Bré-
tagne.

ARTICLE VII.

This Most Christian Ma-
shall think proper to
ck any of the islands fi-
ed in the Gulph of Mex-
or near that Gulph,
ch are at present under
power of Great-Britain,
he said isles, in case of
efs, shall appertain to
crown of France.

ARTICLE SEPT.

Si sa Majesté très Chrêti-
enne juge à propos d'attaquer
aucune des isles situées dans
le golphe de Mexique ou
près du dit golphe, qui sont
actuellement au pouvoir de
la Grande Bretagne, toutes
les dites isles, en cas de suc-
cès, appartiendront à la cou-
ronne de France.

ARTICLE VIII.

either of the two parties
conclude either truce
peace, with Great-Bri-
without the formal con-
of the other first obtain-
and they mutually en-
not to lay down their
s until the independence
ne United States shall
been formally or tacit-
fured, by the treaty or
ies that shall terminate
war.

ARTICLE HUIT.

Aucune des deux parties
ne pourra conclurre ni trêve
ni paix avec la Grande Bré-
tagne, sans le consentement
préalable et formel de l'au-
tre partie, et elles s'engagent
mutuellement à ne mettre
bas les armes, que lorsque
l'indépendance des dits États
Unis aura été assurée for-
mellement ou tacitement par
le traité ou les traités qui
termineront la guerre.

ARTICLE IX.

he contracting parties
are, that being resolved
ulfil each on its own
, the clauses and condi-
s of the present treaty of
nce, according to its own
er and circumstances,
e shall be no after claim

ARTICLE NEUF.

Les parties contractantes
déclarent, qu'étant résolues
de remplir chacune de son
côté les clauses et condi-
tions du présent traité d'al-
liance selon son pouvoir et
les circonstances, elles n'au-
ront aucune répétition, ni

of compensation on one side or the other, whatever may be the event of the war.

ARTICLE X.

The Most Christian King and the United States agree, to invite or admit other powers who may have received injuries from England, to make common cause with them, and to accede to the present alliance, under such conditions as shall be freely agreed to, and settled between all the parties.

ARTICLE XI.

The two parties guaranty mutually from the present time, and for ever against all other powers, to wit: The United States to his Most Christian Majesty, the present possessions of the crown of France in America, as well as those which it may acquire by the future treaty of peace: And his Most Christian Majesty guaranties on his part to the United States, their liberty, sovereignty and independence, absolute and unlimited, as well in matters of government as commerce, and also their possessions, and the additions or conquests, that their confederation may

aucun dédommagement se demander réciproquement, quelque puisse être l'événement de la guerre.

ARTICLE DIX.

Le Roi très Chrétien et Etats Unis sont convenus d'inviter de concert ou de mettre les puissances, auront des griefs contre l'Angleterre, à faire cause commune avec eux, et à céder à la présente alliance sous les conditions qui seront librement agréées et convenues entre toutes les parties.

ARTICLE ONZE.

Les deux parties se garantiront mutuellement de présent et pour toujours vers et contre tous, savoir les Etats Unis à sa Majesté très Chrétienne les possessions actuelles de la couronne de France en Amérique, ainsi que celles qu'elle pourra acquérir par le futur traité de paix; Et sa Majesté très Chrétienne, garantit de son côté aux Etats Unis leur liberté, leur souveraineté, leur indépendance absolue et illimitée, tant en matière de gouvernement que de commerce, ainsi que leurs possessions, les accroissemens ou conquêtes que leur confédération pourra se procurer par

tain during the war, from
of the dominions now,
heretofore possessed by
Great-Britain in North A-
merica, conformable to the
5th and 6th articles above
recited, the whole as their
possession shall be fixed and
returned to the said States, at
the moment of the cessation
of their present war with
England.

ARTICLE XII.

In order to fix more pre-
cisely the sense and applica-
tion of the preceding article,
the contracting parties de-
clare, that in case of a rup-
ture between France and En-
gland, the reciprocal guaran-
tee declared in the said arti-
cle shall have its full force
and effect the moment such
rupture shall break out ; and if
no rupture shall not take
place, the mutual obligations
of the said guarantee shall
not commence until the mo-
ment of the cessation of the
present war, between the
United States and England,
shall have ascertained their
possessions.

ARTICLE XIII.

The present treaty shall be
ratified on both sides, and
the ratifications shall be ex-

changed during the war, from
the domains maintenant ou ci-
devant possédés par la Grande
Bretagne dans l'Amerique
septentrionale, conformé-
ment aux articles cinq et six
ci-dessus, et tout ainsi que
leurs possessions seront fixées
et assurées aux dits Etats, au
moment de la cessation de
leur guerre actuelle contre
l'Angleterre.

ARTICLE DOUZE.

Afin de fixer plus précisé-
ment le sens et l'application
de l'article précédent, les
parties contractantes déclarent
qu'en cas de rupture entre
la France et l'Angleterre,
la garantie réciproque enon-
cée dans le susdit article, au-
ra toute sa force et valeur
du moment où la guerre
éclatera, et si la rupture
n'a voit pas lieu, les obliga-
tions mutuelles de la dite
garantie, ne commenceront
qu'au moment susdit,
où la cessation de la guerre
actuelle entre les Etats Unis
et l'Angleterre, aura fixé
leurs possessions.

ARTICLE TREIZE.

Le present traité sera ra-
tifié de part et d'autre et les
ratifications seront échan-

changed in the space of six months, or sooner if possible.

In faith whereof the respective plenipotentiaries, to wit: On the part of the Most Christian King, Conrad Alexander Gerard, Royal Syndic of the city of Strasbourg, and Secretary of his Majesty's Council of State; and on the part of the United States, Benjamin Franklin, Deputy to the General Congress from the state of Pennsylvania and President of the Convention of the same state; Silas Deane, heretofore Deputy from the state of Connecticut, and Arthur Lee, Counsellor at Law, have signed the above articles both in the French and English languages, declaring nevertheless, that the present treaty was originally composed and concluded in the French language, and they have hereunto affixed their seals.

Done at Paris, this sixth day of February, one thousand seven hundred and seventy eight.

C. A. GERARD, (L. S.)
 B. FRANKLIN, (L. S.)
 SILAS DEANE, (L. S.)
 ARTHUR LEE, (L. S.)

gées dans l'espace de six mois ou plutôt si faire se peut.

En foi dequoi les plénipotentiaires respectifs, à voir, de la part du Roi très Chrétien le Sr. Conrad, Alexandre Gerard, Syndic Royal de la Ville de Strasbourg et Secrétaire du Conseil d'Etat de sa Majesté, de la part des Etats Unis des Srs. Benjamin Franklin, Député au Congrès Général de la part de l'état de Pensylvanie et Président de la Convention du même état; et les Deane cy-devant Député de l'état de Connecticut et Arthur Lée *Conseiller Loix*, ont signé les articles ci-dessus, tant en langue Françoisse qu'en langue Angloise, déclarant néanmoins que le present traité, à l'origine première redigé et rédigé en langue Françoisse et ils les ont munis du cachet de leurs armes.

Fait à Paris, le sixieme jour du mois de Fevrier, l'an sept cent soixante dix huit.

TREATY of AMITY and COMMERCE
between the UNITED STATES of AMERICA and HIS
MOST CHRISTIAN MAJESTY.

ORIGINAL.

TREATY of AMITY and
COMMERCE.

THE Most Christian King, and the Thirteen United States of North America, to wit: New-Hampshire, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, willing to fix in an equitable and permanent manner, the rules which ought to be followed relative to the correspondence and commerce which the two parties desire to establish, between their respective countries, states, and subjects, his Most Christian Majesty and the said United States, have judged that the best end could not be better obtained than by taking for the basis of their agreement, the most perfect equality and reciprocity, and by carefully avoiding all those burdensome preferences which are usually sources of debate, embarrassment and discon-

ORIGINAL.

TRAITÉ D'AMITIÉ et de
COMMERCE.

LE Roi très Chrétien, et les treize États Unis de l'Amérique Septentrionale, savoir, New-Hampshire, la Baye de Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pensylvanie, les comtés de Newcastle, de Kent et de Suffex sur la Delaware, Maryland, Virginie, Caroline Septentrionale, Caroline Méridionale, et Georgie, voulant établir d'une manière équitable et permanente les règles qui devront être suivies relativement à la correspondance et au commerce que les deux parties désirent d'établir entre leurs Pais États et sujets respectifs, sa Majesté très Chrétienne et les dits États Unis ont jugé ne pouvoir mieux atteindre à ce but qu'en prenant pour base de leur arrangement l'égalité et la réciprocité la plus parfaite, et en observant d'éviter toutes les préférences onéreuses, source de discussions, d'em-

tent ; by leaving also each party at liberty to make, respecting commerce and navigation, those interior regulations which it shall find most convenient to itself ; and by founding the advantage of commerce solely upon reciprocal utility, and the just rules of free intercourse ; reserving withal to each party the liberty of admitting at its pleasure, other nations to a participation of the same advantages. It is in the spirit of this intention, and to fulfil these views, that his said Majesty having named and appointed for his plenipotentiary, Conrad Alexander Gerard, Royal *Syndic* of the city of Strasbourg, Secretary of his Majesty's Council of State ; and the United States on their part, having fully empowered Benjamin Franklin, Deputy from the state of Pennsylvania to the General Congress, and President of the Convention of said state ; Silas Deane, late Deputy from the state of Connecticut to the said Congress, and Arthur Lee Counsellor at law ; the said respective plenipotentiaries after exchanging their powers, and after mature deliberation,

barras, et de mecontemans, de laisser à chaque partie la liberté de faire relativement au commerce à la navigation les réglemens intérieurs qui seront à sa convenance, de ne fonder les avantages du commerce sur son utilité reciproque sur les loix d'une juste currence ; et de consentir ainsi de part et d'autre la liberté de faire participer chacun selon son gré, les autres nations, aux mêmes avantages. C'est dans cet esprit et pour remplir ces vues que sa dite Majesté a nommé et constitué pour son plenipotentiaire le Sieur Conrad Alexandre Gerard, *Syndic* Royal de la ville de Strasbourg, Secrétaire du Conseil d'Etat de sa Majesté et les Etats Unis aiant de leur côté, munis de leurs pleins pouvoirs les Sieurs Benjamin Franklin, Député au Congrès Général de la part de l'Etat de Pensylvanie, et Président de la Convention du dite Etat, Silas Deane ci-devant Député de l'Etat de Connecticut, Arthur Lee, *Conseiller en Loix*, les dits plenipotentiaires respectifs après l'échange de leurs pouvoirs et après mure délibération

concluded and agreed on the following articles. conclu et arrêté les points et articles suivans.

ARTICLE I.

There shall be a firm, inviolable and universal peace, a true and sincere friendship between the Most Christian King, his heirs and successors, and the United States of America; and the subjects of the Most Christian King and of the said States; between the countries, islands, cities and towns, situated under the jurisdiction of the Most Christian King, of the said United States, the people and inhabitants of every degree, with exception of persons or places; and the terms hereafter mentioned shall be perpetual between the Most Christian King, his heirs and successors, and the said United States.

ARTICLE I.

Il y aura une paix ferme, inviolable et universelle et une amitié vraie et sincère entre Le Roi très Chrétien ses héritiers et successeurs, et entre les Etats Unis de l'Amérique ainsi qu'entre les sujets de sa Majesté très Chrétienne et ceux des dits Etats, comme aussi entre les peuples, isles, villes et places situés sous la juridiction du Roi très Chrétien et des dits Etats Unis, et entre leurs peuples et habitans de toutes les classes, sans aucune exception de personnes et de lieux; les conditions mentionnées au présent traité seront perpétuelles et permanentes entre Le Roi très Chrétien, ses héritiers et successeurs, et les dits Etats Unis.

ARTICLE II.

The Most Christian King and the United States engage mutually not to grant any particular favour to other nations, in respect of commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the

ARTICLE II.

Le Roi très Chrétien et les Etats Unis s'engagent mutuellement à n'accorder aucune faveur particulière à d'autres nations, en fait de commerce et de navigation, qui ne devienne aussitôt commune à l'autre partie, et celle-ci jouira de cette fa-

same favour, freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional.

ARTICLE III.

The subjects of the Most Christian King shall pay in the ports, havens, roads, countries, islands, cities, or towns, of the United States, or any of them, no other, or greater duties, or imposts, of what nature soever they may be, or by what name soever called, than those which the nations most favoured are or shall be obliged to pay ; and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions in trade, navigation and commerce, whether in passing from one port in the said states to another, or in going to and from the same, from and to any part of the world, which the said nations do or shall enjoy.

ARTICLE IV.

The subjects, people and inhabitants of the said United States, and each of them, shall not pay in the ports, havens, roads, isles, cities

veur gratuitement, si la concession est gratuite, ou en accordant la même compensation, si la concession est conditionnelle.

ARTICLE III.

Les sujets du Roi Chrétien ne paieront dans les ports, havres, rades, côtes, îles, cités et lieux des Etats Unis ou d'autres d'entr'eux, d'autres ni plus grands droits ou impôts. de quelque nature qu'ils puissent être, et quelque nom qu'ils puissent avoir que ceux que les nations les plus favorisées sont, ou seront obligées de paier ; Et ils jouiront de tous les droits, libertés, privilèges, immunités, et exemptions en fait de commerce, soit en passant d'un port des dits Etats à un autre ; soit en y allant ou revenant de quelque partie du monde que ce soit, dont les dites nations jouissent et jouiront.

ARTICLE IV.

Les sujets, peuples et habitants des dits Etats Unis et de chacun d'iceux ne paieront dans les ports, havres, rades, isles, villes et places

places under the domination of his Most Christian Majesty, in Europe, any other, or greater duties or imposts, of what nature soever they may be, or by what name soever called, than those which the most favourable nations are or shall be obliged to pay ; and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions in trade, navigation and commerce, whether passing from one port in the said dominions, in Europe, to another, or in going to and from the same, in and to any part of the world, which the said nations or shall enjoy.

ARTICLE V.

In the above exemption is particularly comprised, the imposition of one hundred dollars per ton, established in France on foreign ships ; unless when the ships of the United States shall load with the merchandize of France for another port of the same dominion, in which case the said ships shall pay the duty above mentioned so long as other nations the most favoured shall be obliged to pay it. But it is understood that the said United States,

la domination de sa Majesté très Chrétienne en Europe d'autres ni plus grands droits ou impôts de quelque nature qu'ils puissent être et quelque nom qu'ils puissent avoir que les nations les plus favorisées sont, ou seront tenuës de paier, et ils jouiront de tous les droits, libertés, privilèges, immunités et exemptions en fait de négoce, navigation et commerce soit en passant d'un port à un autre des dits Etats du Roi très Chrétien en Europe, soit en y allant ou en revenant de quelque partie ou pour quelque partie du monde que ce soit, dont les nations susdites jouissent ou jouiront.

ARTICLE V.

Dans l'exemption ci-dessus est nommément compris l'imposition de cent sous par tonneau établie en France sur les navires étrangers, si ce n'est lorsque les navires des Etats Unis chargeront des marchandises de France, dans un port de France, pour un autre port de la même domination, auquel cas les dits navires des dits Etats Unis acquitteront le droit dont il s'agit aussi long tems que les autres nations les plus favorisées seront obli-

or any of them, are at liberty when they shall judge it proper, to establish a duty equivalent in the same case.

ARTICLE VI.

The Most Christian King shall endeavour by all the means in his power to protect and defend all vessels and the effects belonging to the subjects, people or inhabitants of the said United States, or any of them, being in his ports, havens, or roads, or on the seas near to his countries, islands, cities or towns, and to recover and restore to the right owners, their agents or attornies, all such vessels and effects, which shall be taken within his jurisdiction; and the ships of war of his Most Christian Majesty, or any convoy sailing under his authority, shall upon all occasions take under their protection, all vessels belonging to the subjects, people or inhabitants of the said United States, or any of them, and holding the same course, or going

gées de l'acquiter. Bien entendu qu'il sera libre aux dits Etats Unis, ou à aucun d'iceux d'établir, quand ils jugeront à propos, un droit equivalent à celui dont il est question pour le même cas pour lequel il est établi dans les ports de sa Majesté très Chrétienne.

ARTICLE VI.

Le Roi très Chrétien se servira de tous les moyens qui sont en son pouvoir, pour protéger et défendre tous les vaisseaux et effets appartenants, aux sujets, peuples et habitans des dits Etats Unis et de chacun d'iceux qui seront dans ses ports, havens, ou rades, ou dans les mers près de ces pays, contrées, isles, villes et places, et fera tous ses efforts pour recouvrer et faire restituer aux propriétaires légitimes, leurs agents ou mandataires, tous les vaisseaux et effets qui leur seront pris dans l'étendue de sa juridiction: Et les vaisseaux de guerre de sa Majesté très Chrétienne ou les convois quelconques faisant voile sous son autorité, prendront, en toute occasion sous leur protection tous les vaisseaux appartenants aux sujets, peuples et habitans

the same way, and shall defend such vessels as long as they hold the same course, and go the same way, against attacks, force and violence, in the same manner they ought to protect and defend the vessels belonging to the subjects of the Most Christian King.

des dits États Unis ou d'aucun d'iceux, les quels tiendront le même cours, et feront la même route, et ils défendront les dits vaisseaux aussi long-tems qu'ils tiendront le même cours et suivront la même route, contre toute attaque force ou violence de la même manière qu'ils sont tenus de défendre et de protéger les vaisseaux appartenans aux sujets de sa Majesté très Chrétienne.

ARTICLE VII.

In like manner the said United States and their ships in war, sailing under their authority, shall protect and defend, conformable to the tenor of the preceding article, all the vessels and effects belonging to the subjects of the Most Christian King, and use all their endeavours to recover, and cause to be recovered, the said vessels and effects that shall have been taken within the jurisdiction of the said United States, or any of them.

ARTICLE VII.

Pareillement les dits États Unis et leurs vaisseaux de guerre faisant voile sous leur autorité protégeront et défendront conformément au contenu de l'article précédent, tous les vaisseaux et effets appartenans aux sujets du Roi très Chrétien, et feront tous leurs efforts pour recouvrer et faire restituër les dits vaisseaux et effets qui auront été pris dans l'étendue de la juridiction des dits États et de chacun d'iceux.

ARTICLE VIII.

The Most Christian King shall employ his good offices and interposition with the King or Emperor of Moroc-

ARTICLE VIII.

Le Roi très Chrétien emploiera ses bons offices et son entremise auprès des Roi ou Empereur de Maroc ou Fez,

co or Fez, the regencies of Alger, Tunis, and Tripoli, or with any of them; and also with every other Prince, State or Power, of the coast of Barbary, in Africa, and the subjects of the said King, Emperor, States and Powers, and each of them, in order to provide as fully and efficaciously as possible for the benefit, conveniency and safety of the said United States, and each of them, their subjects, people and inhabitants, and their vessels and effects against all violence, insult, attacks, or depredations, on the part of the said Princes, and States of Barbary, or their subjects.

ARTICLE IX.

The subjects, inhabitants, merchants, commanders of ships, masters and mariners of the states, provinces and dominions of each party respectively shall abstain and forbear to fish in all places possessed, or which shall be possessed by the other party; the Most Christian King's subjects shall not fish in the havens, bays, creeks, roads, coasts or places, which the said United States hold, or shall hereafter hold, and in

des Regences d'Alger, Tunis et Tripoli, ou auprès de l'une d'entr'elles ainsi qu'auprès de tout autre Prince, Etat, ou Puissance des côtes de Barbarie en Affrique des sujets des dits Roi, Empereur, Etats et Puissance de chacun d'iceux à l'effet de pourvoir aussi pleinement aussi efficacement qu'il se pourra à l'avantage commodité et sûreté des dits Etats Unis et de chacun d'iceux, ainsi que de leurs sujets, peuples et habitants leurs vaisseaux et effets contre toute violence, insulte, attaque ou déprédations de part des dits Princes et Etats Barbaresques ou de leurs sujets.

ARTICLE IX.

Les sujets, habitans, marchands, commandans de navires, maitres et gens de mer, des etats, provinces et domaines des deux parties s'abstiendront et éviteront réciproquement de pêcher dans toutes les places possédées, ou qui seront possédées par l'autre partie. Les sujets de sa Majesté très Chrétienne ne pêcheront pas dans les havres, bayes, criques, rades, côtes et places de la mer des dits Etats Unis, possédées

the manner the subjects, people and inhabitants of the said United States, shall not fish in the havens, bays, creeks, roads, coasts or places, which the Most Christian King possesses, or shall hereafter possess; and if any ship or vessel shall be found fishing contrary to the tenor of this treaty, the said ship or vessel, with its lading, proof being made thereof, shall be confiscated; it is however understood that the exclusion stipulated in the present article, shall take place only so long, and so far as the Most Christian King, or the United States, shall not in this respect have granted an exemption to some other nation.

ou posséderont à l'avenir; et de la même manière les sujets, peuples et habitans des dits Etats Unis ne pêcheront pas dans les havres, bayes, criques, rades, côtes et places que sa Majesté très Chrétienne possède actuellement ou possédera à l'avenir, et si quelque navire ou bâtiment étoit surpris pêchant en violation du présent traité, le dit navire ou bâtiment et sa cargaison seront confisqués après que la preuve en aura été faite dûment. Bien entendu que l'exclusion stipulée dans le présent article n'aura lieu qu'autant, et si long tems que le Roi et les Etats Unis n'auront point accordé à cet égard d'exception à quelque nation que ce puisse être.

ARTICLE X.

The United States, their citizens and inhabitants shall never disturb the subjects of the Most Christian King in the enjoyment and exercise of the right of fishing on the banks of Newfoundland, nor of the indefinite and exclusive right which belongs to them on that part of the coast of that island which is assigned by the treaty of Utrecht, nor in the rights

ARTICLE X.

Les Etats Unis, leurs citoyens et habitans ne troubleront jamais les sujets du Roi très Chrétien dans la jouissance et exercice du droit de pêche sur les bancs de Terre neuve, non plus que dans la jouissance indéfinie et exclusive qui leur appartient sur la partie des côtes de cette île, désignée dans le traité d'Utrecht, ni dans les droits relatifs à

relative to all, and each of toutes et chacune des isles
the isles which belong to qui appartiennent à sa Maje-
his Most Christian Majesty, té très Chrétienne ; le tout
the whole conformable to conformément au véritable
the true sense of the treaties sens des traités d'Utrecht
of Utrecht and Paris. de Paris.

* ARTICLE XI.

ARTICLE XI.

The subjects and inhabi- Les sujets et habitans de
tants of the said United dits Etats Unis ou de l'u-
States, or any one of them, d'eux ne seront point réputés
shall not be reputed aubains aubains en France, et consé-

* *The two following Articles were originally agreed to, but afterwards rescinded—to wit :*

ARTICLE XI.

ARTICLE XI.

It is agreed and concluded that there shall never be any duty imposed on the exportation of the molasses that may be taken by the subjects of any of the United States, from the islands of America which belong, or may hereafter appertain to his Most Christian Majesty.

Il est convenu et arrêté qu'il ne sera jamais imposé aucun droit sur l'exportation des molasses qui pourront être tirées par les sujets d'aucun des Etats Unis, des îles d'Amérique, qui appartiennent ou pourront appartenir à sa Majesté très Chrétienne.

ARTICLE XII.

ARTICLE XII.

In compensation of the exemption stipulated by the preceding article, it is agreed and concluded, that there shall never be any duties imposed on the exportation of any kind of merchandize which the subjects of his Most Christian Majesty may take from the countries and possessions,

En compensation de l'exemption stipulée par l'article précédent, il est convenu et arrêté qu'il ne sera jamais imposé aucun droit sur l'exportation d'aucune espèce de denrées marchandises que les sujets sa Majesté très Chrétienne pourront tirer des pays ou possessions actuelles ou futur

France, and consequently all be exempted from the droit d'aubaine, or other similar duty under what name ever. They may by testament, donation, or otherwise, dispose of their goods, moveable and immoveable, in favor of such persons as to them shall seem good, and

quemment seront exemts du droit d'aubaine ou autre droit semblable quelque nom qu'il puisse avoir ; pourront disposer par testament, donation, ou autrement de leurs biens meubles et immoveables en faveur de telles personnes que bon leur semblera ; et leurs héritiers,

past or future, of any of the thirteen United States, for the use of the islands which will furnish molasses.

d'aucun des Treize Etats Unis pour l'usage des isles que fournissent les melasses.

Act of France rescinding the foregoing articles.

TRANSLATION.

ORIGINAL.

The General Congress of the United States of North America; having represented to the King that the execution of the twelfth article of the treaty of Amity and Commerce, signed the sixth of February last, might be productive of inconveniences ; and having therefore desired the suppression of this article, consenting in return that the twelfth article should likewise be considered of no effect : His Majesty in order to give a new proof of his affection, as also of his desire to consolidate the union and good correspondence established between the two States, has been pleased to consider their

Le Congrès Général des Etats Unis de l'Amérique Septentrionale ayant représenté au Roi que l'exécution de l'article onze du traité d'Amitié et de Commerce, signé le six du mois de Février dernier pourroit entraîner des inconveniens après soi, et ayant désiré en conséquence que cet article demeurât supprimé ; consentant en échange que l'article douze soit également regardé comme non avenue, sa Majesté, pour donner aux Etats Unis de l'Amérique Septentrionale une nouvelle preuve de son affection, ainsi que de son désir de consolider l'union et la bonne correspondance établies entre les deux

their heirs, subjects of the said United States, residing whether in France or elsewhere, may succeed them *ab intestat*, without being obliged to obtain letters of naturalization, and without having the effect of this concession contested or impeded under pretext of any rights

fujets des dits Etats Unis residans soit en France ailleurs, pourront leur succéder *ab intestat*, sans qu'ils aient besoin d'obtenir ces lettres de naturalité, et sans que l'effet de cette concession leur puisse être contesté ou empêché sous pretexte de quelques droits ou prérogatives

representations : His Majesty has consequently declared, and does declare by these presents, that he consents to the suppression of the eleventh and twelfth aforementioned articles, and that his intention is, that they be considered as having never been comprehended in the treaty signed the sixth of February last.

DONE at Versailles the first day of the month of September, one thousand seven hundred and seventy-eight.

GRAVIER DE VERGENNES.

Etats, à bien voulu avoir égard à leurs représentations ; en conséquence sa Majesté a déclaré et déclare par les présentes qu'elle consent à la suppression des articles onze et douze mentionnés, et que son intention est, qu'ils soient regardés comme n'ayant jamais été compris dans la traité signé le six Février dernier.

FAIT à Versailles le premier jour du mois de Septembre mil sept cent soixante et dix huit.

GRAVIER DE VERGENNES.

Act of the United States rescinding the foregoing article

ORIGINAL.

DECLARATION.

The Most Christian King having been pleased to regard the representations made to him by the General Congress of North America, relative to the

ORIGINAL.

DECLARATION.

Le Roi très Chrétien ayant bien voulu avoir égard aux représentations que lui a faites le Congrès Général de l'Amérique Septentrionale, relative

prerogatives of provinces, cities, or private persons ; and the said heirs, whether each by particular title, or *ab intestat*, shall be exempt from all duty called *droit de traction*, or other duty of the same kind, saving nevertheless the local rights or duties as much, and as long as similar ones are not established by the United States, or any of them. The subjects of the Most Christian King shall enjoy on their part in

tives des provinces villes ou personnes privées. Et seront les dits héritiers soit à titre particulier soit *ab intestat* exempts de tout droit de détraction ou autre droit de ce genre ; sauf néanmoins les droits locaux tant, et si long tems, qu'il n'en sera point établi de pareils par les dits Etats Unis ou aucun d'iceux. Les sujets du Roi très Chrétien jouiront de leur côté dans tous les domaines des dits Etats d'une

venth article of the treaty of commerce, signed the sixth February in the present year ; and his Majesty having therefore consented that the said article should be suppressed, on condition that the twelfth article of the same treaty be usually regarded as of none effect ; the General Congress hath declared, and do declare on their part, that they consent to the suppression of the tenth and twelfth articles of the above mentioned treaty, and that their intention is, that these articles be regarded as having never been comprised in the treaty signed the sixth of February. In faith whereof, &c.

ment à l'article onze du traité de commerce, signé le six Février de la présente année ; et sa Majesté ayant consenti en conséquence que le dit article demeurerait supprimé à condition que l'article douze du même traité fût également regardé comme non venu ; le Congrès Général a déclaré et déclare de son côté qu'il consent à la suppression des articles onze et douze susmentionnés, et son intention est, qu'ils soient regardés comme n'ayant jamais été compris dans le traité signé le six Février dernier. En foi de quoi, &c.

B. FRANKLIN, ARTHUR LEE, JOHN ADAMS.

all the dominions of the said States, an entire and perfect reciprocity relative to the stipulations contained in the present article, but it is at the same time agreed that its contents shall not affect the laws made, or that may be made hereafter in France against emigrations which shall remain in all their force and vigour, and the United States on their part, or any of them, shall be at liberty to enact such laws, relative to that matter, as to them shall seem proper.

ARTICLE XII.

The merchant ships of either of the parties which shall be making into a port belonging to the enemy of the other ally, and concerning whose voyage, and the species of goods on board her, there shall be just grounds of suspicion, shall be obliged to exhibit as well upon the high seas, as in the ports and havens, not only her passports, but likewise certificates, expressly shewing that her goods are not of the number of those which have been prohibited as contraband.

entière et parfaite reciprocity relativement aux stipulations renfermées dans le present article. Mais il est convenu en même tems que son contenu ne portera aucune atteinte aux loix promulguées en France contre les émigrations, ou qui pourront être promulguées dans la suite, les quelles demeureront dans toute leur force et vigueur. Les Etats Unis de leur côté ou aucun d'entr'eux, feront libres de statuer sur cette matière telle loi qu'ils jugeront à propos.

ARTICLE XII.

Les navires marchands des deux parties qui feront destinés pour des ports appartenants à une puissance ennemie de l'autre allié dont le voiage ou la nature des marchandises dont seront chargés donneroit justes soupçons, seront tenus d'exhiber soit en haute mer soit dans les ports et havens non seulement leurs passeports mais encore les certificats qui constateront le pressément que leur chargement n'est pas de la qualité de ceux qui sont prohibés comme contrabande.

ARTICLE XIII.

By the exhibiting of the
 aforesaid certificates, the
 other party discover there
 any of those sorts of
 goods which are prohibited
 and declared contraband,
 and consigned for a port un-
 der the obedience of his ene-
 mies, it shall not be lawful
 to break up the hatches of
 the ship, or to open any
 chest, coffers, packs, casks,
 or any other vessels found
 therein, or to remove the
 smallest parcels of her goods,
 whether such ship belongs
 to the subjects of France, or
 to the inhabitants of the said
 United States, unless the
 cargo be brought on shore in
 the presence of the officers
 of the court of admiralty, and
 an inventory thereof made;
 and there shall be no allow-
 ance to sell, exchange or ali-
 enate the same, in any man-
 ner, until after that due and
 lawful process shall have been
 had against such prohibited
 goods, and the court of ad-
 miralty shall by a sentence
 pronounced have confiscated
 the same: saving always as
 well the ship itself as any
 other goods found therein,
 which by this treaty are to
 be esteemed free, neither
 shall they be detained on pre-

ARTICLE XIII.

Si l'exhibition des dits
 certificats conduit à décou-
 vrir que le navire porte des
 marchandises prohibées et
 réputées contrebande, con-
 signées pour un port enne-
 mi, il ne sera pas permis de
 briser les écoutes des dits
 navires, ni d'ouvrir aucune
 caisse, coffre, malle, ballots,
 tonneaux et autres caisses qui
 s'y trouveront, ou d'en dé-
 placer et détourner la moin-
 dre partie des marchandises
 soit que le navire apparti-
 ne aux sujets du Roi très
 Chrétien ou aux habitans
 des Etats Unis, jusqu'à ce
 que la cargaison ait été mise
 à terre en présence des offi-
 ciers des cours d'amirauté,
 et que l'inventaire en ait été
 fait; mais on ne permettra
 pas de vendre, échanger ou
 aliéner les navires ou leur
 cargaison en manière quel-
 conque, avant que le procès
 ait été fait et parfait legale-
 ment pour déclarer la con-
 trebande, et que les cours
 d'amirauté auront prononcé
 leur confiscation par juge-
 ment, sans préjudice néan-
 moins des navires, ainsi que
 des marchandises qui en
 vertu du traité doivent être
 censés libres. Il ne sera
 pas permis de retenir ces

tence of their being as it were infected by the prohibited goods, much less shall they be confiscated, as lawful prize: but if not the whole cargo, but only part thereof shall consist of prohibited or contraband goods, and the commander of the ship shall be ready and willing to deliver them to the captor, who has discovered them, in such case, the captor having received those goods, shall forthwith discharge the ship, and not hinder her by any means, freely to prosecute the voyage on which she was bound. But in case the contraband merchandizes cannot be all received on board the vessel of the captor, then the captor may, notwithstanding the offer of delivering him the contraband goods, carry the vessel into the nearest port agreeable to what is above directed.

ARTICLE XIV.

On the contrary it is agreed, that whatever shall be found to be laden by the subjects and inhabitants of either party on any ship be-

marchandises sous prete: qu'elles ont été entachés par les marchandises de contrebande et bien moins. core de les confisquer comme des prises legales. Dans le cas où une partie seulement et non la totalité du chargement consisteroit de marchandises de contrebande, et que le commandant du vaisseau consente à delivrer au corsaire qui aura découverts, alors le capitaine qui aura fait la prise, après avoir reçu les marchandises doit incontinent relâcher le navire et ne doit l'empêcher en aucune manière de continuer son voyage. Mais dans le cas où les marchandises de contrebande ne pourroient être toutes chargées sur le vaisseau capteur, alors le capitaine du dit vaisseau ne peut refuser de remettre la contrebande au commandant, et de conduire le patron du vaisseau au plus prochain port, conformément à ce qui est prescrit plus haut.

ARTICLE XIV.

On est convenu au contraire que tout ce qui se trouvera chargé par les sujets de l'une ou de l'autre partie sur des navires appartenant aux ennemis

going to the enemies of the
 er, or to their subjects,
 whole although it be
 of the sort of prohibited
 ods, may be confiscated
 he same manner as if it
 onged to the enemy, ex-
 t such goods and mer-
 ndizes as were put on
 rd such ship before the
 laration of war, or even
 r such declaration, if so
 it were done without
 owledge of such declara-
 t, so that the goods of
 subjects and people of
 er party, whether they
 of the nature of such as
 prohibited or otherwise,
 ch as is aforesaid, were
 on board any ship be-
 ging to an enemy before
 war or after the declar-
 on of the same, without
 knowledge of it, shall
 ways be liable to confis-
 on, but shall well and
 ly be restored without
 ay to the proprietors de-
 nding the same; but so
 that if the said merchan-
 es be contraband it shall
 be any ways lawful to
 rythem afterwards to any
 pts belonging to the ene-
 . The two contracting
 pties agree, that the term
 two months being passed
 er the declaration of war,

l'autre partie ou à leurs fu-
 jets sera confisqué sans dis-
 tinction des marchandises
 prohibées ou non prohibées,
 ainsi et de même què si elles
 appartiennent à l'ennemi, à
 l'exception toute fois, des
 effets et marchandises qui au-
 ront été mis à bord des dits
 navires avant la declaration
 de guerre, ou même après la
 dite declaration. si au mo-
 ment du chargement on a pu
 l'ignorer, de manière que les
 marchandises des sujets des
 deux parties, soit qu'elles se
 trouvent du nombre de celles
 de contrebande ou autre-
 ment, les quelles comme il
 vient d'être dit auront été
 mises à bord d'un vaisseau
 appartenant à l'ennemi avant
 la guerre ou même après la
 dite declaration, l'orsqu'on
 l'ignoroit ne seront en au-
 cune manière, sujetes à con-
 fiscation, mais seront fide-
 lement et de bonne foi
 renduës sans delai à leurs
 propriétaires, qui les récla-
 meront; bien entendu néan-
 moins qu'il ne soit pas per-
 mis de porter dans les ports
 ennemis les marchandises qui
 seront de contrebande. Les
 deux parties contractantes
 conviennent que le terme de
 deux mois passés depuis la de-
 claration de guerre, leurs fu-

their respective subjects, from whatever part of the world they come, shall not plead the ignorance mentioned in this article.

ARTICLE XV.

And that more effectual care may be taken for the security of the subjects and inhabitants of both parties, that they suffer no injury by the men of war or privateers of the other party, all the commanders of the ships of his Most Christian Majesty and of the said United States, and all their subjects and inhabitants, shall be forbid doing any injury or damage to the other side; and if they act to the contrary they shall be punished, and shall moreover be bound to make satisfaction for all matter of damage, and the interest thereof, by reparation, under the pain and obligation of their person and goods.

ARTICLE XVI.

All ships and merchandises of what nature soever, which shall be rescued out of the hands of any pirates or robbers on the high seas, shall be brought into some port of either State, and shall be delivered to the cus-

jets respectifs, de quelque partie du monde qu'ils viennent ne pourront plus alléguer l'ignorance dont il est question dans le présent arti-

ARTICLE XV.

Et afin de pourvoir plus efficacement à la sûreté des sujets des deux parties contractantes, pour qu'il ne soit fait aucun préjudice aux vaisseaux de guerre l'autre ou par des armateurs particuliers, il sera fait défense à tous capitaines de vaisseaux de sa Majesté Chrétienne et des dits États Unis, et à tous leurs sujets de faire aucun dommage insulte à ceux de l'autre partie, et au cas où ils y conviendroient, ils en seront punis, et de plus ils seront tenus et obligés en leurs personnes et en leurs biens de réparer tous les dommages et intérêts.

ARTICLE XVI.

Tous vaisseaux et marchandises de quelque nature que ce puisse être lors qu'ils auront été enlevés des mers par quelques pirates en pleine mer, seront amenés dans quelque port de l'un des deux États, et seront remis à

of the officers of that
 in order to be restored
 to the true proprietor;
 on as due and sufficient
 shall be made concern-
 the property thereof.

garde des officiers du dit port
 afin d'être rendus, en entier,
 à leur véritable propriétaire
 aussitôt qu'il aura dûment
 et suffisamment fait constater
 de sa propriété:

ARTICLE XVII.

shall be lawful for the
 of war of either party,
 privateers, freely to car-
 hither soever they please,
 ships and goods taken
 their enemies, without
 obliged to pay any du-
 the officers of the ad-
 lity or any other judges ;
 shall such prizes be ar-
 d or seized when they
 to and enter the ports
 her party ; nor shall the
 hers or other officers
 nose places search the
 ; or make examination
 urning the lawfulness of
 prizes ; but they may
 fail at any time, and
 rt and carry their pri-
 o the places expressed in
 commissions, which the
 manders of such ships of
 shall be obliged to shew:
 ne contrary, no shelter
 e refuge shall be given in
 ports to such as shall
 made prize of the sub-
 , people or property of
 er of the parties ; but if
 shall come in, being

ARTICLE XVII.

Les vaisseaux de guerre de
 sa Majesté très Chrétienne et
 ceux des Etats Unis, de même
 que ceux que leurs sujets au-
 ront armés en guerre, pour-
 ront, en toute liberté, con-
 duire où bon leur semblera
 les prises qu'ils auront faites
 sur leurs ennemis, sans être
 obligés à aucuns droits, soit
 des sieurs amiraux ou de
 l'amirauté ou d'aucuns au-
 tres, sans qu'aussi les dits vais-
 seaux ou les dites prises en-
 trant dans les havres ou ports
 de sa Majesté très Chrétienne
 ou des dits États Unis puis-
 sent être arrêtés ou saisis, ni
 que les officiers des lieux pu-
 issent prendre connoissance
 de la validité des dites prises,
 les quelles pourront sortir et
 être conduites franchement
 et en toute liberté aux lieux
 portés par les commissions
 dont les capitaines des dits
 vaisseaux, seront obligés de
 faire apparoir. Et au con-
 traire ne sera donné asile ni
 retraite dans leurs ports ou
 havres à ceux qui auront fait

forced by strefs of weather, or the danger of the sea, all proper means shall be vigorously used, that they go out and retire from thence as soon as possible.

ARTICLE XVIII.

If any ship belonging to either of the parties, their people or subjects, shall within the coasts or dominions of the other stick upon the sands, or be wrecked, or suffer any other damage, all friendly assistance and relief shall be given to the persons shipwrecked, or such as shall be in danger thereof. And letters of safe conduct shall likewise be given to them for their free and quiet passage from thence and the return of every one to his own country.

ARTICLE XIX.

In case the subjects and inhabitants of either party, with their shipping, whether public and of war, or private and of merchants, be forced through strefs of weather, pursuit of pirates, or enemies, or any other urgent necessity for seeking of shelter and harbor, to retreat and enter into any of the

des prises sur les sujets sa Majesté ou des dits E Unis; et s'ils sont for d'y entrer par tempête peril de la mer, on les sortir le plustôt qu'il possible.

ARTICLE XVIII.

Dans le cas où un vaisseau appartenant à l'un des d États ou à leurs sujets, : échoué, fait naufrage souffert quelqu' autre d mage sur les côtes ou la domination de l'une deux parties, il fera de toute aide et assistance : able aux personnes nau gées ou qui se trouvent danger, et il leur sera cordé des sauf conduits } assûrer leur passage et retour dans leur patrie.

ARTICLE XIX.

Lorsque les sujets et h tans de l'une des deux ties avec leurs vaisseaux publics et de guerre, particuliers et marchands seront forces par une t pête, par la poursuite pirates et des ennemis, par quelqu' autre nece urgente de chercher rel et un abri, de se retire

ers, bays, roads or ports belonging to the other party they shall be received and treated with all humanity and kindness, and enjoy all friendly protection and help; and they shall be permitted to refresh and provide themselves, at reasonable rates, with victuals and all things needful for the sustenance of their persons, or reparation of their ships, and convenience of their voyage; they shall no ways be detained or hindered from returning out of the said ports or roads, but may receive and depart when and where they please, without let or hindrance.

entrer dans quelque une des rivières, bayes, rades ou ports de l'une des deux parties, ils seront reçus et traités avec humanité, et jouiront de toute amitié, protection et assistance, et il leur sera permis de se pourvoir de rafraichissemens, de vivres, et de toutes choses nécessaires pour leur subsistance pour la reparation de leurs vaisseaux, et pour continuer leur voiage, le tout moyennant un prix raisonnable, et ils ne seront retenus en aucune manière, ni empêchés de sortir des dits ports ou rades, mais pourront se retirer et partir quand, et comme il leur plaira, sans aucun obstacle ni empêchement.

ARTICLE XX.

For the better promoting of commerce on both sides agreed, that if a war shall break out between the said nations, six months after the proclamation of war, they shall be allowed to the merchants in the cities and towns where they live for bringing and transporting their goods and merchandizes; and if any thing be taken from them, or any injury be done them within that term

ARTICLE XX.

Afin de promouvoir d'autant mieux le commerce de deux côtés il est convenu que dans le cas où la guerre surviendrait entre les deux nations susdites, il sera accordé, six mois après la déclaration de guerre, aux marchands dans les villes et cités qu'ils habitent, pour rassembler et transporter les marchandises, et s'il en est enlevé quelque chose ou s'il leur a été fait quelque injure

by either party, or the people or subjects of either, full satisfaction shall be made for the same.

durant le terme prescrit dessus, par l'une des deux parties, leurs peuples ou sujets, il leur sera donné à égard pleine et entière satisfaction.

ARTICLE XXI.

No subjects of the Most Christian King shall apply for or take any commission, or letters of marque for arming any ship or ships to act as privateers against the said United States, or any of them, or against the subjects, people or inhabitants of the said United States, or any of them, or against the property of any of the inhabitants of any of them, from any Prince or State with which the said United States shall be at war; nor shall any citizen, subject, or inhabitant of the said United States, or any of them, apply for or take any commission or letters of marque for arming any ship or ships, to act as privateers against the subjects of the Most Christian King, or any of them, or the property of any of them, from any Prince or State with which the said King shall be at war; and if any person of either nation shall take such commissions or

ARTICLE XXI.

Aucun sujet du Roi Chrétien ne prendra de commission ou de lettres de marque pour armer quelque vaisseau ou vaisseaux à l'effet d'agir comme corsaires contre les dits Etats Unis, ou quelques uns d'entr'eux, contre les sujets, peuples, habitans d'iceux, ou contre leur propriété ou celle des habitans d'aucun d'eux, de quelque prince ou Etat avec lequel les Etats Unis seront en guerre. De même aucun citoyen, sujet, ou habitant des Etats Unis et de quelque Etat d'entr'eux, ne demandera ni n'acceptera aucune commission ou lettres de marque pour armer quelque vaisseau ou vaisseaux pour courre aux sujets de sa Majesté Chrétienne, ou quelque propriété de quelque prince ou Etat avec lequel sa Majesté se trouvera en guerre; et si quelqu'un de l'une ou de l'autre nation prendra

letters of marque, he shall be punished as a pirate.

de pareilles commissions ou lettres de marque il sera puni comme pirate.

ARTICLE XXII.

It shall not be lawful for any foreign privateers, not belonging to subjects of the Most Christian King, nor citizens of the said United States, who have commissions from any other Prince or State in enmity with either nation, to fit their ships in the ports of either the one or the other of the aforesaid parties, to sell what they have taken, or in any other manner whatsoever to exchange their ships, merchandizes, or any other lading; neither shall they be allowed even to purchase victuals, except such as shall be necessary for their going to the next port of that Prince or State from which they have commissions.

ARTICLE XXII.

Il ne sera permis à aucun corsaire étranger non appartenant à quelque sujet de sa Majesté très Chrétienne ou à un citoyen des dits Etats Unis, lequel aura une commission de la part d'un prince ou d'une puissance en guerre avec l'une des deux nations, d'armer leurs vaisseaux dans les ports de l'une des deux parties ni d'y vendre les prises qu'il aura faites, ni décharger en autre manière quelconque les vaisseaux, marchandises ou aucune partie de leur cargaison; il ne sera même pas permis d'acheter d'autres vivres que ceux qui lui seront nécessaires pour se rendre dans le port le plus voisin du prince ou de l'état dont il tient sa commission.

ARTICLE XXIII.

It shall be lawful for all and singular the subjects of the Most Christian King, and the citizens, people and inhabitants of the said United States, to sail with their ships with all manner of liberty and security, no dis-

ARTICLE XXIII.

Il sera permis à tous et à chacun des sujets du Roi très Chrétien et aux citoyens, peuple et habitans des susdits Etats Unis, de naviguer avec leurs bâtimens avec toute liberté et sûreté, sans qu'il puisse être fait d'ex-

tion being made, who are the proprietors of the merchandizes laden thereon, from any port to the places of those who now are or hereafter shall be at enmity with the Most Christian King, or the United States. It shall likewise be lawful for the subjects and inhabitants aforesaid, to sail with the ships and merchandizes aforesaid, and to trade with the same liberty and security from the places, ports and havens of those who are enemies of both or either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy aforesaid to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under the jurisdiction of the same Prince, or under several. And it is hereby stipulated, that free ships shall also give a freedom to goods, and that every thing shall be deemed to be free and exempt which shall be found on board the ships belonging to the subjects of either of the confederates, although the whole lading, or any part thereof

ception à cet égard, à raison des propriétaires des marchandises chargées sur les dits bâtimens venant de quelque port que ce soit et destinés pour quelque place d'une puissance actuellement ennemie, ou qui pourra l'être dans la suite de sa Majesté très Chrétienne ou des Etats Unis. Il sera permis également aux sujets et habitans sus mentionnés de naviguer avec leurs vaisseaux marchandises et de fréquenter avec la même liberté les places, ports, et havens des puissances ennemies des deux parties contractantes ou d'une d'entre elles sans opposition ni trouble et de faire le commerce non seulement directement des ports de l'ennemi, surdit un port neutre, mais aussi d'un port ennemi à un autre port ennemi, soit qu'il se trouve sous sa juridiction ou sous celle de plusieurs et il est stipulé par le présent traité que les bâtimens libres assureront également la liberté des marchandises, et qu'on jugera libres toutes les choses qui se trouveront à bord des navires appartenants aux sujets d'une des parties contractantes, quand même le chargement ou partie d'icel

ould appertain to the enemies of either, contraband goods being always excepted. It is also agreed in like manner, that the same liberty be extended to persons who are on board a free ship, with this effect, that although they be enemies to both or either party, they are not to be taken out of that free ship, unless they are soldiers and in actual service of the enemy.

apartiendroit aux ennemis de l'une des deux ; bien entendu néanmoins que le contrebande fera toujours exceptée. Il est également convenu que cette même liberté s'étendroit aux personnes qui pourroient se trouver à bord du bâtiment libre quand même elles seroient ennemies de l'une des deux parties contractantes, et elles ne pourront être enlevées des dits navires à moins qu'elles ne soient militaires et actuellement au service de l'ennemi.

ARTICLE XXIV.

This liberty of navigation and commerce shall extend to all kinds of merchandises, excepting those only which are distinguished by the name of contraband, and under this name of contraband or prohibited goods, shall be comprehended arms, great guns, bombs with the fuses, and other things belonging to them, cannon ball, gunpowder, match, pikes, swords, lances, spears, halberds, mortars, petards, grenades, saltpetre, muskets, musket ball, bucklers, helmets, breast plates, coats of mail, and the like kinds of arms, proper for arming soldiers, musket rests, belts,

ARTICLE XXIV.

Cette liberté de navigation et de commerce doit s'étendre sur toutes sortes de marchandises, à l'exception seulement de celles qui sont désignées sous le nom de contrebande : Sous ce nom de contrebande ou de marchandises prohibées doivent être compris les armes, canons, bombes avec leurs fusées et autres choses y relatives, boulets, poudre à tirer, méches, piques, épées, lances, dards, hallebardes, mortiers, petards, grenades, salpêtre, fusils, balles, boucliers, casques, cuirasses, cote de mailles, et autres armes de cette espèce, propres à armer les soldats, porte-mouf-

horses with their furniture, and all other warlike instruments whatever. These merchandizes which follow shall not be reckoned among contraband or prohibited goods; that is to say, all sorts of cloths, and all other manufactures woven of any wool, flax, silk, cotton, or any other materials whatever, all kinds of wearing apparel, together with the species whereof they are used to be made, gold and silver, as well coined as uncoined, tin, iron, latten, copper, brass, coals; as also wheat and barley, and any other kind of corn and pulse; tobacco, and likewise all manner of spices; salted and smoked flesh, salted fish, cheese and butter, beer, oils, wines, sugars, and all sorts of salts; and in general all provisions which serve for the nourishment of mankind and the sustenance of life; furthermore, all kinds of cotton, hemp, flax, tar, pitch, ropes, cables, sails, sail cloths, anchors and any parts of anchors, also ships masts, planks, boards and beams of what trees soever; and all other things proper either for building or repairing ships, and all other

que ton, baudriers, chevaux avec leurs équipages et toutes autres instrumens de guerre quelconques. Les marchandises denommées ci-après ne seront pas comprises parmi la contrebande ou chose prohibées, savoir, toutes sortes de draps et toutes autres étoffes de laine, lin soye, coton ou d'autres matières quelconques; toutes sortes de vetemens avec les étoffes dont on a coutume de les faire, l'or et l'argent monnoyé ou non, l'étain, le fer, laiton, cuivre, airain, charbons, de même que le froment et l'orge, et toute autre sorte de bleds et legumes, le tabac et toutes les sortes d'épiceries, la viande salée et fumée, poisson sale, fromage et beurre, biere, huiles, vins, sucres, et toute espèce de sel et en général toutes provisions servant pour la nourriture de l'homme et pour le soutien de la vie. De plus toutes, sortes de coton, de chanvre, lin, goudron, poix, cordes, cables, voiles, toile à voiles, ancrs, parties d'ancres, mats, planches, madriers, et bois de toute espèce, et toutes autres choses propres à la construction et réparation des vaisseaux et autres matières quelconques.

goods whatever which have been worked into the form of any instrument or thing prepared for war by land or by sea, shall not be reputed contraband, much such as have been alread wrought and made up for any other use: all which shall be wholly reckoned among free goods; as likewise all other merchandizes and things which are not apprehended and particularly mentioned in the foregoing enumeration of contraband goods; so that they may be transported and carried in the freest manner by the subjects of both confederates, even to places belonging to an enemy, such towns or places being only excepted, as are at that time besieged, blocked up or invested.

ARTICLE XXV.

To the end that all manner of dissentions and quarrels may be avoided and prevented, on one side and the other, it is agreed, that in case either of the parties hereto should be engaged in war, the ships and vessels belonging to the subjects or people of the other ally, must

ques qui n'ont pas la forme d'un instrument préparé pour la guerre par terre comme par mer, ne seront pas réputées contrebande et encore moins celles qui sont déjà préparées pour quelque autre usage: Toutes les choses dénommées ci-dessus doivent être comprises parmi les marchandises libres, de même que toutes les autres marchandises et effets qui ne sont pas compris et particulièrement nommés dans l'énumération des marchandises de contrebande; de manière qu'elles pourront être transportées et conduites de la manière la plus libre par les sujets des deux parties contractantes dans des places ennemies, à l'exception néanmoins de celles qui se trouveroient actuellement assiégées, bloquées ou investies.

ARTICLE XXV.

Afin d'écartier et de prévenir de part et d'autre toutes discussions et querelles il a été convenu que dans le cas où l'une des deux parties se trouveroit engagée dans une guerre, les vaisseaux et bâtimens appartenans aux sujets ou peuple de l'autre allié devront être pourvus de let-

be furnished with sea letters or passports, expressing the name, property and bulk of the ship, as also the name and place of habitation of the master or commander of the said ship, that it may appear thereby that the ship really and truly belongs to the subjects of one of the parties, which passport shall be made out and granted according to the form annexed to this treaty ; they shall likewise be recalled every year, that is if the ship happens to return home within the space of a year. It is likewise agreed, that such ships being laden are to be provided not only with passports as above-mentioned, but also with certificates, containing the several particulars of the cargo, the place whence the ship sailed, and whither she is bound, that so it may be known whether any forbidden or contraband goods be on board the same ; which certificates shall be made out by the officers of the place whence the ship set sail, in the accustomed form ; and if any one shall think it fit or advisable to express in the said certificates, the person to whom the goods on

tres de mer ou passeports, quels exprimeront le nom propriété et le port du navire ainsi que le nom et demeure du maître ou commandant du dit vaisseau, à qui'il a paroisse par là que même vaisseau appartient réellement et véritablement aux sujets de l'une des deux parties contractantes ; leq passeport, devra être expédié selon le modele annexé au présent traité. Ces passeports devront également être renouvelles chaque année dans le cas où le vaisseau retourne chez lui dans l'espace d'une année. Il a été convenu également que les vaisseaux susmentionnés dans le cas où ils seroient chargés devront être pourvus non seulement de passeports mais aussi de certificats, contenant le detail de la cargaison le lieu d'où le vaisseau est parti, et la declaration des marchandises de contrebande qui pourroient se trouver à bord ; lesquels certificats devront être expédiés dans la forme accoutumée par les officiers du lieu d'où le vaisseau aura fait voile, et il étoit jugé utile ou prudent d'exprimer dans les dits passeports la personne à laquelle les marchandises appartien-

hard belong, he may freely
o fo.

nent, on pourra le faire li-
brement.

ARTICLE XXVI.

The ships of the subjects
and inhabitants of either of
the parties, coming upon a-
ny coasts belonging to ei-
ther of the said allies, but
not willing to enter into
port, or being entered into
port and not willing to un-
load their cargoes or break
bulk, they shall be treated
according to the general
rules prescribed or to be
prescribed, relative to the
object in question.

ARTICLE XXVI.

Dans le cas où les vais-
seaux des sujets et habitans
de l'une des deux parties
contractantes aprocheroient
des côtes de l'autre, sans ce-
pendant avoir le dessein
d'entrer dans le port, ou
après être entré, sans avoir
le dessein de décharger la
cargaïson, ou rompre leur
charge, on se conduira à leur
égard suivant les réglemens
généraux prescrits ou à pre-
scrire relativement à l'objet
dont il est question.

ARTICLE XXVII.

If the ships of the said sub-
jects, people or inhabitants
of either of the parties shall
be met with, either sailing
along the coasts or on the
high seas, by any ship of war
of the other, or by any priva-
teers, the said ships of war or
privateers, for the avoiding
of any disorder, shall remain
out of cannon shot, and may
send their boats aboard the
merchant ship which they
shall so meet with, and may
enter her to number of two
or three men only, to whom
the master or commander
of such ship or vessel shall

ARTICLE XXVII.

Lorsqu'un bâtiment apar-
tenant aux dits sujets, peu-
ple et habitans de l'une des
deux parties, sera rencontrè
navigant le long des côtes ou
en pleine mer, par un vais-
seau de guerre de l'autre, ou
par un armateur, le dit vais-
seau de guerre, ou armateur,
àfin d'éviter tout désordre,
se tiendra hors de la portée
du canon, et pourra envoïer
sa chaloupe àbord du bâti-
ment marchand, et y faire
entrer deux ou trois hom-
mes, aux quels le maître ou
commandant du bâtiment
montrera son passeport, le-

exhibit his passport concerning the property of the ship, made out according to the form inserted in this present treaty, and the ship, when she shall have shewed such passport, shall be free and at liberty to pursue her voyage, so as it shall not be lawful to molest or search her in any manner, or to give her chase or force her to quit her intended course.

ARTICLE XXVIII.

It is also agreed, that all goods when once put on board the ships or vessels of either of the two contracting parties, shall be subject to no farther visitation; but all visitation or search shall be made beforehand, and all prohibited goods shall be stopped on the spot, before the same be put on board, unless there are manifest tokens or proofs of fraudulent practice; nor shall either the persons or goods of the subjects of his Most Christian Majesty or the United States, be put under any arrest or molested by any other kind of embargo for that cause; and only the subject of that state to whom the said goods have been or shall be pro-

quel devra être conformément la formule annexée au présent traité, et constatera la propriété du bâtiment, après que le dit bâtiment aura exhibé un pareil passport, il lui sera libre de continuer son voyage et il sera pas permis de le molester, ni de chercher en aucune manière, de lui donner la chasse, ou de le forcer à quitter la course qu'il s'est proposée.

ARTICLE XXVIII.

Il est convenu que lorsqu' les marchandises auront été chargées sur les vaisseaux bâtimens de l'une des deux parties contractantes, elles ne pourront plus être assujetties à aucune visite; toute visite et recherche devra être faite avant le chargement, et les marchandises prohibées devant être arrêtées et saisies sur la place avant de pouvoir être embarquées à moins qu'on n'ait des indices manifestes ou des preuves de versements frauduleux. De même aucun des sujets de sa Majesté Chrétienne ou des Etats-Unis, ni leurs marchandises ne pourront être arrêtés ou molestés pour cette cause par aucune espèce d'embar-

hibited, and who shall pre-
tend to sell or alienate such
lot of goods, shall be duly
punished for the offence.

go ; et les seuls sujets de
l'état, auxquels les dites mar-
chandises auront été prohi-
bées, et qui se feront eman-
cipés à vendre et aliéner de
pareilles marchandises, fe-
ront dûment punis pour
cette contravention.

ARTICLE XXIX.

The two contracting par-
ties grant mutually the lib-
erty of having each in the
ports of the other, consuls,
vice-consuls, agents and com-
missionaries, whose functions
shall be regulated by a par-
ticular agreement.

ARTICLE XXIX.

Les deux parties contract-
antes se sont accordées mu-
tuellement la faculté de tenir
dans leurs ports respectifs
des consuls, vice-consuls, a-
gents et commissaires dont
les fonctions seront réglées
par une convention particu-
lière.

ARTICLE XXX.

And the more to favor and
facilitate the commerce which
the subjects of the United
States may have with France,
the Most Christian King will
grant them in Europe one
or more free ports, where
they may bring and dispose
of all the produce and mer-
chandise of the thirteen
United States ; and his Ma-
jesty will also continue to the
subjects of the said States,
the free ports which have
been and are open in the
West Indian islands of America :
and all which free ports the
said subjects of the United

ARTICLE XXX.

Pour d'autant plus favo-
riser et faciliter le commerce
que les sujets des Etats Unis
feront avec la France, le
Roi très Chrétien leur accor-
dera en Europe un ou plu-
sieurs ports Francs dans les-
quels ils pourront amener et
débiter toutes les denrées et
marchandises provenant des
treize Etats Unis ; sa Majesté
conservera d'un autre côté
aux sujets des dits Etats les
ports Francs qui ont été, et
sont ouverts dans les îles
Françoises de l'Amérique.
De tous les quels ports
Francs les dits sujets des

States shall enjoy the use, Etats Unis jouiront con-
agreeable to the regulations mément aux réglemens
which relate to them. en déterminent l'usage.

ARTICLE XXXI.

The present treaty shall be ratified on both sides, and the ratifications shall be exchanged in the space of six months, or sooner if possible.

In faith whereof the respective plenipotentiaries have signed the above articles, both in the French and English languages, declaring nevertheless, that the present treaty was originally composed and concluded in the French language, and they have thereto affixed their seals.

DONE at Paris, this sixth day of February, one thousand seven hundred and seventy-eight.

ARTICLE XXXI.

Le présent traité sera ratifié de part et d'autre, et les ratifications seront échangées dans l'espace de six mois ou plutôt si faire peut.

En foi de quoi les Plénipotentiaires respectifs ont signé les articles ci-dessus tant en langue Française qu'en langue Angloise, déclarant néanmoins que le présent traité a été originairement rédigé et conclu en langue Française et ils y ont apposé le cachet de leurs armes.

Fait à Paris le sixième jour du mois de Février, l'an sept cent soixante-dix-huit.

C. A. GERARD, (L. S.)
B. FRANKLIN, (L. S.)
SILAS DEANE, (L. S.)
ARTHUR LEE, (L. S.)

ORIGINAL.

TREATY of Amity and Commerce between their High Mightinesses the States General of the United Netherlands, and the United States of America, to wit: New-Hampshire, Massachusetts, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia.

THEIR High Mightinesses the States General of the United Netherlands, and the United States of America—to wit: New-Hampshire, Massachusetts, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, desiring to ascertain in a permanent and equitable manner, the rules to be observed relative to the commerce and correspondence, which they intend to establish between their respective states, counties and inhabitants, have judged that the said end

ORIGINEEL.

TRACTAAT van Vriendschap en Commercie, tusschen Haar Hoog Mogende de Staten Generaal der Vereenigde Nederlanden, en de Vereenigde Staten van America, te weeten, New-Hampshire, Massachusetts, Rhode-Island en Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginien, Noord-Carolina, Zuyd-Carolina, en Georgia.

HAAR Hoog Mogende de Staten Generaal der Vereenigde Nederlanden en de Vereenigde Staten van America—te weeten: New-Hampshire, Massachusetts, Rhode-Island en Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginien, Noord-Carolina, Zuyd-Carolina, en Georgien, geneegen zynde op een bestendige en billyke wyze te bepalen de regelen, die in acht genomen moeten worden, ten opzichte van de correspondentie en commercie, welke zy verlangen vast te stellen tusschen haare respectieve landen Staten, onderdanen en ingezee-

cannot be better obtained, than by establishing the most perfect equality and reciprocity for the basis of their agreement, and by avoiding all those burthenfome preferences, which are usually the sources of debate, embarrassment and discontent; by leaving also each party at liberty to make, respecting commerce and navigation, such ulterior regulations as it shall find most convenient to itself; and by founding the advantages of commerce solely upon reciprocal utility, and the just rules of free intercourse, reserving withal to each party the liberty of admitting at its pleasure other nations to a participation of the same advantages.

tenen, hebben geoordeeld, dat het gezegde eynde niet beeter kan worden bereykt, dan door te stellen tot de basis van haar verdrag, volmaekste egaliteit en reciprociteit, en met vermyding van alle die lastige praefertien, dewelke doorgaans bronnaders zyn van twyfelverwarring en misnoege, door aan iedere partye vryheid te laten, om volgens de commercie en navigatie, verder zulke reglementen te maken, als voor zig zelve het gevogelykst zal oordeelen; door de voordeelen van commercie, eeniglyk te gronde op weederzyds nut, en juyfste regels van vrye handover en weer; reserveeren by dat alles aan iedere partye de vryheid, om, na zelfs goedvinden andere natiën te admitteeren tot participeeren aan dezelve voordeelen.

On these principles their said High Mightinesses the States General of the United Netherlands, have named for their plenipotentiaries, from the midst of their assembly, Messieurs, their deputies for the foreign affairs; and the said United States

Op deeze grondbeginlen hebben voorgemeen Haar Hoog Mogende Staten Generaal der Verenigde Nederlanden, tot hunne Plenipotentiarissen, het midden hunner verdering, benoemd de Heeren Derselver gedeputeer en

America, on their part, have furnished with full powers, Mr. John Adams, the commissioner of the United States of America at the court of Versailles, heretofore delegate in Congress from the state of Massachusetts-Bay, and chief justice of the said state, who have agreed and concluded as follows, to wit :

ARTICLE I.

There shall be a firm, inviolable and universal peace and sincere friendship, between their High Mightinesses, the Lords the States General of the United Netherlands, and the United States of America, and between the subjects and inhabitants of the said parties, and between the countries, lands, cities and places, situated under the jurisdiction of the said United Netherlands, and the said United States of America, their subjects and inhabitants, of every degree, without exception of persons or places.

de buytenlandfche Zaaken ; En de gemelde Vereenigde Staten van America van hunne zyde, met volmagt voorfien den Heer John Adams, laaftt commissaris van de Vereenigde Staten van America, aan het Hof van Versailles, geweest afgevaardigde op het Congres wegens de staten van Massachusetts-Baay, en opper-regter van den gemelden staat, dewelke zyn overeengekomen, en geaccordeert :

ARTICLE I.

Daar zal een vaste, onverbreekelyke en universeele vrede, en opregte vriendschap zyn, tusschen Haar Hoog Mogende de Heeren Staten Generaal der Vereenigde Nederlanden, en de Vereenigde Staten van America, en de onderdanen en ingezeetenen van de voornoemd de parthyen, en tusschen de landen, eilanden, steeden en plaatzen, gelegen, onder de jurisdicctie van de gemelde Vereenigde Nederlanden, en de gemelde Vereenigde Staten van America, en derselver onderdanen en ingezeetenen van allerley Staat, sonder onderscheid van personen en plaatzen.

ARTICLE II.

The subjects of the said States General of the United Netherlands, shall pay in the ports, havens, roads, countries, islands, cities or places, of the United States of America, or any of them, no other nor greater duties or imposts, of whatever nature or denomination they may be, than those which the nations the most favoured, are or shall be obliged to pay; and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions in trade, navigation and commerce, which the said nations do or shall enjoy, whether in passing from one port to another, in the said states, or in going from any of those ports to any foreign port of the world, or from any foreign port of the world to any of those ports.

ARTICLE III.

The subjects and inhabitants of the said United States of America, shall pay

ARTICLE II.

De onderdanen van gemelde Staten Generaal der Vereenigde Nederlanden, zullen in de havens, rheedden, landen, eilanden, steden of plaatzen van Vereenigde Staten van America, of eenige van zelve, geen andere of grotere regten of impositi van vat natuur, die ook mogen zyn, of hoedanig dezelve ook genoemt mogen worden, betaalen, dan die welke de meest gefavoriseerde natiën zyn, of zullen worden verplicht aldaar te betaalen. En zy zullen genieten alle de regten, vryheden, privilegien, immunititeiten, exemptiën in handel, navigatie en commercie, hetzij in het gaan van eene haven in de gemelde Staaten tot eene andere, of gaande van eenige van deeze havens na eenige vreemde haven van de wereld, of van eenige vreemde haven van de wereld, na eenige van deeze havens, welke de gemelde, natiën reeds genieten of zullen genieten.

ARTICLE III.

Insgeelyks zullen de onderdanen en ingezeetenen van de gemelde Vereenig-

in the ports, havens, roads, countries, islands, cities or places of the said United Netherlands, or any of them, other nor greater duties or imposts of whatever nature or denomination they may be, than those which the nations the most favoured, are or shall be obliged to pay: And they shall enjoy the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, which the said nations do or shall enjoy, whether in passing from one port to another in the said states, or from any one towards any one of these ports, from or to any foreign port of the world. And the United States of America, with their subjects and inhabitants, shall leave those of their High Minesses, the peaceable enjoyment of their rights, in the countries, islands and seas, the East and West-Indies, without any hindrance or molestation.

Staten van America, in de havens, rheaden, landen, eilanden, steeden of Plaatsen van de gemelde Vereenigde Nederlanden of eenige van dezelve, geen andere of grootere regten of impositionen, van wat natúúr, die ook mogen zyn of hoedanig dezelve ook genoemd mogen worden, betaalen, dan die, welke de meest gefavoriseerde natien zyn of zullen worden verplicht aldaar te betalen. En zy zullen genieten alle de regten, vryheeden, privilegien, immunititeiten, en exemptien in handel, navigatie en commercie, het zy in het gaan van eene haven in de gemelde Staaten na eene andere, of gaande na en van dezelve, van en na eenige vreemde haven van de wereld, welke de meest gefavoriseerde natien reeds genieten of zullen genieten. En zullen de Vereenigde Staten van America, benevens haare onderdanen en ingezeetenen, aan die van Haar Hoog Mogende laten het gerust genot van haare regten, omtrent de landen, eilanden en zeeën, in Oost en West-Indien, sponder haar daar in eenig belet of hindernis te doen.

ARTICLE IV.

There shall be an entire and perfect liberty of conscience allowed to the subjects and inhabitants of each party, and to their families, and no one shall be molested in regard to his worship, provided he submits as to the public demonstration of it, to the laws of the country : There shall be given moreover, liberty, when any subjects or inhabitants of either party shall die in the territory of the other, to bury them in the usual burying places, or in decent and convenient grounds to be appointed for that purpose, as occasion shall require ; and the dead bodies of those who are buried, shall not in any wise be molested. And the two contracting parties shall provide, each one in his jurisdiction, that their respective subjects and inhabitants may henceforward obtain the requisite certificates in cases of deaths, in which they shall be interested.

ARTICLE IV.

Er zal eene volle, volkome en geheele vryheid van conscientie worden toegestaen aan de onderdanen en ingezeetenen van iedere parthy, en aan derzelve familiën, en zal niemand in zake van den Godtsdienst worden gemolesteert, mits hem omtrent publieke demonstratie onderwerpen aan de wetten van het land. Daar en boven zal vryheid worden gegeven aan de onderdanen en ingezeetenen van iedere parthye, die des anderen's territoir overlyden, om begraven te worden in de gewoone begraafplaatsen of gevoeglyke en decente plaatsen, daar te bepaalen, zoo als de gelegendheid zal vereyffchen. Nogte zullen de doode lichaamen van die geene die begraven zyn eenigfins worden gemolesteert. En zullen de beide contracteerende mogendheeden, ieder onder hun gebied, de noodige voorzieninge doen, te eynde de respectieve onderdanen en ingezeetenen van behoorlyke bewyzen van sterfgevallen, waar by de zelve zyngeïntereffeert voortaan zullen kunnen worden gediënt.

ARTICLE V.

Their High Mightinesses, the States General of the United Netherlands, and the United States of America, shall endeavour, by all the means in their power, to defend and protect all vessels and other effects, belonging to their subjects and inhabitants respectively, or to any other person, in their ports, harbours, havens, internal seas, bays, rivers, and as far as their jurisdiction extends at sea, and to recover, and cause to be restored to the owners or proprietors, their agents or attornies, all such vessels and effects, which shall be taken under their jurisdiction: And their vessels of war and convoys, in case when they may have a common enemy, shall take under their protection all vessels belonging to the subjects and inhabitants of either party, which shall not be laden with contraband goods, according to the description which shall be made of them hereafter, in such places, with which one of the parties is in peace and the other at war, nor destined for any place blockaded, and which shall hold the

ARTICLE V.

Haar Hoog Mogende, de Staten Generaal der Vereenigde Nederlanden en de Vereenigde Staten van America, zullen tragten zoo veel eenigzints in haar vermogen is, te beschermen en defendeeren alle scheepen en andere effecten toebehoorende aan wederzydsche onderdanen en ingezeetenen, of eenige van dezelve, zynende in haare havens of rheën, binnenlandsche zeeën, stroommen, rivieren, en zoo verre haare jurisdictie zeewaards strekt, en wederom te bekomen, ente doen restituereen aan de regte eigenaers, hunne agenten of gevolmagtigden, alle zodanige scheepen, en effecten die, onder haare jurisdictie, zullen genomen worden: en haare convoyeerende oorlog scheepen zullen, voor zoo verre zy eenen gemeenen vyand mogen hebben, onder haare protectie neemen alle scheepen toebehoorende aan elkanders onderdanen en ingezetenen, dewelke geene contrabande goederen, volgens de beschryving, hier na daar van te doen, zullen hebben ingelaaden naar plaatsen, waar meede de eene

same course or follow the same route ; and they shall defend such vessels as long as they shall hold the same course or follow the same route, against all attacks, force and violence of the common enemy, in the same manner as they ought to protect and defend the vessels belonging to their own respective subjects.

ARTICLE VI.

The subjects of the contracting parties may, on one side and on the other, in the respective countries and states, dispose of their effects, by testament, donation, or otherwise ; and their heirs, subjects of one of the parties, and residing in the country of the other, or elsewhere, shall receive such successions, even *ab intestato*, whether in person or by their attorney or substitute, even although they shall not have obtained letters of naturalization, without having the effect of such commission contested, under pretext

parthy in vreedde, en de dere in oorlog is, en geen geblocqueerde pla gedeftineert zyn, en z len houden dezelve cou of gaan dezelve weg, en z len zodanige fcheepen fendeeren, zoo lang als dezelve cours houden, defelve weg gaan, teeg alle aanvallen, magt en weld van den gemeenen and op dezelve wys als zouden moeten befchern en defendeeren de fchee toebehoorende aan weedyds eigen onderdaanen

ARTICLE VI.

De onderdanen der tracteerende parthyen, z len over en weeder in v derfydfche landen en ft van hunne goederen by te menten donatien, of an fints mogen disponeeren hunne erfgenamen, zy onderdanen van een der thyen in de landen vande dere, of wel elders woonag zullen dezelve nalatenschen ontfangen, felfs *ab testato*, het zy in perso het zy by hun procureur gemagtigde, fchoon zy g brieven van naturalif zouden mogen hebben getineert, zonder dat het ef

any rights or prerogatives of any province, city, or private person; and if heirs, to whom such functions may have fallen, shall be minors, the tutors or curators, established by the judge domiciliary of the minors, may govern, act, administer, sell and donate the effects fallen to said minors by inheritance, and in general, in relation to the said successions effects, use all the rights, and fulfil all the functions which belong, by the disposition of the laws, to guardians, tutors and curators: provided nevertheless, that such disposition cannot take effect, but in cases where the testator shall not have named guardians, tutors, or curators, by testament, codicil, or other legal instrument.

van die commissie, hun zal kunnen worden betwist, onder prætext van eenige regten, of voor-regten van eenige provincie, stad of particulier perzoon: ensoo de erfgenamen, aan welke de erffenissen mogten vervallen zyn, minder jarig waren, zullen de voogden of curateurs by den domiciliairen regter der genoemde minderjarigen aangenstelt, kunnen regeeren, bestieren, administreeeren, verkoopen en veralieneeren de goederen, welke de gemelde minderjarigen by erffenissen zullen zyn te beurt gevallen; en generalyk met opsig tot de voorschreeve successien en goederen, waarneemen alle regten en functien, die aan voogden en curateurs na dispositie der wetten competeeeren, behoudens nochtans dat deeze dispositie geen plaats zal kunnen hebben, dan ingevalle als wanneer de testateur, by testament, codicille, of ander wettig instrument, geenevoogden of curateurs sal hebben genomineert.

ARTICLE VII.

It shall be lawful and free to the subjects of each party to employ such advo-

ARTICLE VII.

Het zal wettig en vry zyn aan de onderdanen van iedere partheye, zodanige ad-

cates, attornies, notaries, solicitors, or factors, as they shall judge proper.

vocaten, procureurs, notarijffolliciteurs of factoren te employeeren, als zy zullen goedvinden.

ARTICLE VIII.

Merchants, masters and owners of ships, mariners, men of all kinds, ships and vessels, and all merchandizes and goods in general, and effects of one of the confederates, or of the subjects thereof, shall not be seized, or detained in any of the countries, lands, islands, cities, places, ports, shores, or dominions whatsoever of the other confederate, for any military expedition, public or private use of any one, by arrests, violence, or any colour thereof; much less shall it be permitted to the subjects of either party, to take or extort by force, any thing from the subjects of the other party, without the consent of the owner; which, however, is not to be understood of seizures, detentions and arrests, which shall be made by the command and authority of justice, and by the ordinary methods, on account of debts or crimes, in respect whereof, the proceedings must be by way of

ARTICLE VIII.

Kooplieden, schippers, varennaers bootgezellen, lieutenants van alderhande soort, schepen en vaartúigen, en koopmanschappen en goederen in het generaal, en effecten van een der bondgenooten, of van derselver onderdanen, zullen niet worden in beslag genomen of aangehouden in enige der landen, gronden, eilanden, steeden, plaatsen, havens, stranden of dorpen, hoegenaamt van anderen bondgenoot, totnaegte militaire expeditie, of licq of privaat gebruik van iemand, door arrest, geweld of eenigints daar na geschiedende: veel minder zal gepermitteert zyn aan de onderdanen van iedere party iets te neemen of geweld te onttreemden, de onderdanen van de andere parthy sonder bewilliging van den persoon, die toebehoord: het geen egter niet te verstaan is van aanhalingen, detentien, arresten, welke zullen v

according to the forms
justice.

den gedaan op bevel en au-
thoriteit van de justitie en
volgens de ordinaire wegen,
ten opzigte van schulden of
misdaden, waar omtrent de
procedures moeten geschie-
den, by wege van regten,
ingevolge de form van jus-
titie.

ARTICLE IX.

is further agreed and
concluded, that it shall be
liberty free for all mer-
chants, commanders of ships,
and other subjects and inha-
bitants of the contracting
countries, in every place, sub-
jected to the jurisdiction of
either of the two powers respectively,
to manage themselves, their
ships and business; and moreover
to the use of interpreters
and brokers, as also in rela-
tion to the loading or un-
loading of their vessels, and
any thing which has rela-
tion thereto, they shall be,
on one side and on the other,
considered and treated upon
the footing of natural sub-
jects, or, at least, upon an
equality with the most fa-
voured nation.

ARTICLE IX.

Verders is overeengeko-
men en beslooten, dat het
volkomen vry-zal staan aan
alle kooplieden bevelhebbers
van scheepen en andere on-
derdanen of ingezeetenen
der beide contracteerende
mogendheeden in alle plaat-
sen, respectivelyk gehooren-
de onder het gebied en de
jurisdictie der wederzyd-
sche mogendheeden hunne
eigenssaaken, zelfs te verrig-
ten; zullende deselve wy-
ders, omtrent het gebrúik
van tolken of makelaars,
mitsgaders met opzigt tot
het laaden, of ontladen hun-
ner scheepen, en al het geen
daar toe betrekkelijk is, over
en weder op den voet van
eigene onderdanen, of ten
minsten in-gelykheid met de
meest ge favoriseerde natie
geconfidereert en gehandelt
worden.

ARTICLE X.

The merchant ships, of either of the parties, coming from the port of an enemy, or from their own, or a neutral port, may navigate freely towards any port of an enemy of the other ally: They shall be, nevertheless, held, whenever it shall be required, to exhibit, as well upon the high seas, as in the ports, their sea-letters, and other documents, described in the twenty-fifth article, stating expressly that their effects are not of the number of those, which are prohibited, as contraband: And not having any contraband goods for an enemy's port, they may freely and without hindrance, pursue their voyage towards the port of an enemy. Nevertheless, it shall not be required to examine the papers of vessels convoyed by vessels of war, but credence shall be given to the word of the officer, who shall conduct the convoy.

ARTICLE XI.

If by exhibiting the sea-letters, and other docu-

ARTICLE X.

De koopvaardy scheep van een ieder der parthy komende soo wel van vyandelyke, als eige of neutrale haven, zullen mogen vaaren naa een haven van een vyand van anderen bondgenoot; verpligt zyn, soo dik het gevordert word, ha zeebrieven en verdere scheiden in het vyf-entwigtste articul beschreev zoo wel op de open zee, in de havens te exhibeer expresselyk aantonnende, haare goederen niet zyn het getal dier geene, dewe als contrabande verbooy zyn, en geene contraba goederen voor een vyandelyke haven gelaaden l bende, na de haven van vyand, haare reize vrye en onverhindert mogen volgen; dog sal geen tatie van papieren ge worden van scheepen, or convoy der oorlog schepen, maar geloof wor gegeven aan het woord den officier, het cony leidende.

ARTICLE XI.

Indien by het vertoo der zee-brieven en ande

ments, described more particularly in the twenty-fifth article of this treaty, the other party shall discover there are any of those sorts of goods, which are declared prohibited, and contraband, and that they are consigned to a port under the obedience of his enemy, it shall not be lawful to break up the hatches of such ship, nor open any chest, coffer, casks, casks, or other vessels and therein, or to remove the smallest parcel of her goods, whether the said vessel belongs to the subjects of their High Mightinesses, the States General of the United Netherlands, or to the subjects or inhabitants of the said United States of America, unless the lading be brought on shore, in presence of the officers of the court of admiralty, and an inventory thereof made; but there shall be no allowance to sell, exchange or alienate the same, until after that due and lawful process shall have been had against such prohibited goods of contraband, and the court of admiralty, by a sentence pronounced, shall have confiscated the same, saving always as well

befcheiden by het vyf-en-twintigste articul van dit tractaat nader beschreeven, de andere parthy ontdekt, dat er eenige van die soort van goederen zyn, dewelke verboden en contrabande gedeclareert zyn, en geconsigneert naar een haven onder de gehoorfaemheid van den vyand, zal het niet geoorloft zyn de luyken van zodanig schip op te breeken, of eenige kist, koffers, pakken, kassen of ander vaat-werk, daar in gevonden wordende te openen of het geringste gedeelte van haare goederen te verplaatfen, het zy sodanige scheepen toebehooren aan de onderdanen van Haar Hoog Mogende de Staten Generaal der Vereenigde Nederlanden of aan onderdanen en ingezeetenen van de gemelde Vereenigde Staaten van America, ten zy de lading aan land gebragt worde in presentie van de officieren van het admiraliteits hof, en een inventaris van deselve gemaakt, dog sal niet worden toegelaten, om deselve op eenigerhande wyse te verkopen, verruilen of veralieneeren, dan, na dat behoorlyke en wettige procedures te-

the ship itself, as any other goods found therein, which are to be esteemed free, and may not be detained on pretence of their being infected by the prohibited goods, much less shall they be confiscated as lawful prize: But on the contrary, when by the visitation at land, it shall be found that there are no contraband goods in the vessel, and it shall not appear by the papers that he who has taken and carried in the vessel has been able to discover any there, he ought to be condemned in all the charges, damages and interests of them, which he shall have caused, both to the owners of vessels, and to the owners and freighters of cargoes with which they shall be loaded, by his temerity in taking and carrying them in; declaring most expressly the free vessels shall assure the liberty of the effects with which they shall be loaded, and that this liberty shall extend itself equally to the persons who shall be found in a free vessel, who may not be taken out of her, unless they are military men acti-

gens zodanige verboden contrabande goederen zullen zyn gehouden, en admiraliteits hof by een pronuntieerde sententie zelve zal hebben geconfisqueert, daar van altoos verlatende, zoo wel het schip zelve, als eenige andere goederen, daarin gevonden wordende, welke voor vry worden gehouden, nogte niet tegen dezelve worden opgehouden, onder voorgeevend dat die, als't ware de de geprohibeerde goederen zouden zyn geïnfecteerd, veel min zullen deselve, wettige prys worden geconfisqueert: Maar in tegendeel wanneer by de visitatie at land word bevonden, dat geen contrabande waaren in de scheepen zyn, en uyt papieren niet bleek, dat neemer en opbrenger, die daar uyt niet had konnontdekken, zal deselve moeten worden gecondemneerd in alie de kosten en schaden, die hy zoo aan de eigenaaren der scheepen, als aan de eigenaars en inlaader der goederen, waar mede de scheepen beladen zullen zyn, door zyne rukeloos-

y in the service of an enemy.

aanhouding en opbrenging der scheepen zal hebben veroorzaakt met de interessen van dien, wordende wel expresselyk verklaart, dat een vry schip, zal vry maakende waaren daar ingelaaden, en dat die vryheid zig ook zal uittrekken over de personen, die haar zullen bevinden in een vry schip, dewelke daar uyt niet geligt zullen mogen worden, ten zy het waren oorlogfluiden in effectiven dienst van den vyand.

ARTICLE XII.

On the contrary, it is agreed, that whatever shall be found to be laden by the subjects and inhabitants of her party, on any ship belonging to the enemies of the other, or to their subjects, although it be not comprehended under the sort of prohibited goods, the whole may be confiscated in the same manner as if it belonged to the enemy; except nevertheless such effects and merchandizes as were put on board such vessel before the declaration of war, or in the space of six months after it, which effects shall not be, in any manner, subject to confiscation, but shall be

ARTICLE XII.

In tegendeel is overeengekomen, dat al het geen bevonden zal worden gelaaden te zyn door de onderdanen en ingezeetenen van een der beide parthyen, in eenig schip de vyanden van den anderen, of aan deszelfs onderdanen toebehoorende, geheel, of schoon niet zynde van de soort van verbodene goederen, mag worden geconfisqueert, op dezelve wys als of het den vyand toequam, uitgefondert zodanige goederen en koopmanschappen, als aan boord van zodanig schip gedaan waren voorde oorlogs-declaratie, of binnen ses maanden na deselve, welke goederen in geenen-

faithfully and without delay restored in nature to the owners who shall claim them, or cause them to be claimed, before the confiscation and sale, as also their proceeds, if the claim could not be made but in the space of eight months after the sale, which ought to be public: Provided nevertheless, that if the said merchandizes are contraband, it shall by no means be lawful to transport them afterwards to any port belonging to enemies.

deele confiscatie zullen derhevig zyn, maar wel getrouwelyk sonder uyt aan de eigenaers, die selve voor de confiscatie verkoop zullen te rug vagen of doen vragen in natura zullen worden gereclameert, gelyk meede het pvenu daar van, indien reclame binnen agt maanden nade verkoping, welke publicq zal moeten worden gedaen, eerst kongeschieden, dog zoo, indien de gemelde koopnschappen, contrabande zyn het geenzints geoorloft zyn deselve naderhand vervoeren na eenige vyands, de vyanden toe hoorende.

ARTICLE XIII.

And that more effectual care may be taken for the security of subjects and people of either party, that they do not suffer molestation from the vessels of war or privateers of the other party, it shall be forbidden to all commanders of vessels of war and other armed vessels of the said States General of the United Netherlands, and the said United States of America, as well as to all their officers, subjects

ARTICLE XIII.

En ten einde de best mogelyke zorg mag worden dragen voor de securiteit der onderdanen en het vreden van een der beide parthyen, dat dezelve geen overlast men te lyden van wege de oorlog-scheepen of kapers vande andere parthy, zullen alle de bevelhebbers van oorlog-scheepen en gepende vaartuigen vande voorschreeve Staten Generaal der Vereenigde Nederlanden, en vande gemelde

people, to give any offence or do any damage to the life of the other party; if they act to the contrary, they shall be, upon the complaint which shall be made of it, being found guilty after a just examination, punished by their proper judges, and moreover obliged to make satisfaction of all damages and interest thereof, by reparation, and other pain and obligation to their persons and goods.

Vereenigde Staten van America, mits gaders alle derselver officieren onderdanen en volk, verbooden worden eenige belediging of schade aan die van de andere zyde toe-te-brengen, en zoo zy dien contrarie handelen, zullen zy op de eerste klagen, daar over te doen, na behoorlyk onderzoek schuldig bevonden wordende, door haar eige regters gestraft worden, endaar en boven verpligt worden satisfactie te geeven voor alle schade, en den interest daar van, door vergoeding onder poene en verbintenis van hunne personen en goederen.

ARTICLE XIV.

For further determining what has been said, all captains of privateers, or privateers-out of vessels armed in war, under commission and on account of private persons, shall be held, before their departure, to give sufficient caution, before competent judges, either to be entirely responsible for all malversations which they may commit in their cruizes or voyages, as well as for all contraventions of their captains and officers against

ARTICLE XIV.

Tot meerder verklaring van het geen voorschreeve is, zullen alle kaper capiteinen of rheeders van scheepen, op particuliere bestelling en commissie ten oorlog-uitgerust, voor dezelve gehouden zyn, voor derselver vertrek, goede en suffisante cautie te stellen voor de competente regters, of in het geheel te verantwoorden de malversatien, dieze in haare courssen, of op haare reizen zouden mogen begaan, en voor de contraventien van haare ca-

the present treaty, and against the ordinances and edicts which shall be published in consequence of and conformity to it, under pain of forfeiture and nullity of the said commissions.

ARTICLE XV.

All vessels and merchandizes of whatsoever nature, which shall be rescued out of the hands of any pirates or robbers, navigating the high seas without requisite commissions, shall be brought into some port of one of the two states, and deposited in the hands of the officers of that port in order to be restored entire to the true proprietor, as soon as due and sufficient proofs shall be made concerning the property thereof.

ARTICLE XVI.

If any ships or vessels, belonging to either of the parties, their subjects or people, shall, within the coasts or dominions of the other, stick upon the sands, or be wreck-

piteinen en officieren, tegen het tegen woordig traataat ende ordonnantien, en edicten, die gepubliceet zullen worden, in kracht en conform de dispositie van dien, oppoene van verval, en nulliteit der voorschreven commissien.

ARTICLE XV.

Alle scheepen en koopmanschappen, van wat natuur dezelve ook zyn, die hernomen zullen worden uyt handen van piratten of zeerovers, sonder behoeftelyke commissie op de open zee varende, zullen gebragt worden in eenige haven van eene der beide staten, en zullen aan de bewaring der officieren van die haven worden overgeliefert, ten einde geheel restitueert te worden aan den regten eigenaar, zood als behoorlyk en genoegzaam bewys, wegens de eigendom der zelve, zal gedaan zyn.

ARTICLE XVI.

Indien eenige scheepen of vaartuigen toebehoorende aan een van beyde de partijen, hunne onderdanen of ingezeetenen; op de kusten of dominien van den ander

or suffer any other damage, all friendly assistance and relief shall be given to the persons shipwrecked or such as shall be in danger thereof; and the vessels, effects and merchandise or the part of them which shall have been saved, or the proceeds of them, if, being perishable, they shall have been sold, being claimed within a year and a day by the masters or owners, or their agents or attorneys, shall be restored, paying only reasonable charges, and such as shall be paid, in the same case, for the salvage, by the proper subjects of the country: there shall be delivered them, safe conducts or passports, for their free and safe passage thence, and to return, and to one to his own country.

ren zullen komen te stranden, vergaan, of eenige andere zee-schade te lyden, zal alle vriendelyke assistentie en hulp worden gegeven aan de personen schipbreuk geleeden hebbende, of die zig ingevaar daar van zullen bevinden; en de scheepen, goederen en koopmanschappen, en het geen daar vangeborgten zal zyn, of het provenu van dien, by aldien die goederen verderfelyk zynde, zullen weezen verkogt, alle door de schippers of door de eigenaars, of van haare gelaste, of volmagt hebbende, binnen jaar en dag gereclameert wordende, worden geresitueert; mits betaelende alleen de reedelyke onkosten, en het geen voer bergloon door de eyge onderdanen, in het zelve geval, betaalt moet worden; zullende insgelijke brieven van vrygelyc aan hun worden gegeven, voor hunne vrye en geruste passage van daar, en retour van een ieder na sijn eigen land.

ARTICLE XVII.

In a case the subjects or people of either party, with their shipping, whether public and of war, or private of merchants, be forced

ARTICLE XVII.

Ingevalle de onderdanen of ingezetenen van een der beide partyen met hunne scheepen, het zy publike en ten oorlog varende, of

through stress of weather, pursuit of pirates or enemies, or any other urgent necessity for seeking of shelter and harbour, to retract and enter into any of the rivers, creeks, bays, ports, roads, or shores, belonging to the other party, they shall be received with all humanity and kindness, and enjoy all friendly protection and help, and they shall be permitted to refresh and provide themselves, at reasonable rates, with victuals, and all things needful for the sustenance of their persons, or reparation of their ships; and they shall no ways be detained or hindered from returning out of the said ports or roads, but may remove and depart when and whither they please without any let or hindrance.

ARTICLE XVIII.

For the better promoting of commerce, on both sides it is agreed, that if a war

by sondere en ter koopdy uitgerust, door omig weer, najaaging van rovers of vyanden, of andere dringende nood, wongen zullen worden bekoming van een plaats en haaven, zig tireeren en binnen te lo in eenige der rivieren, c uen, baayen, havens, den of stranden, toebr rende aan de andere thye, zullen dezelve me menschlievendheid en g willigheid werden on gen, en alle vriendelyke tectie en hulp geniete zal hun worden toege zig te ververschen, en viandeeren, teegens re yke pryfen met victu en alle dingen benoodig onderhoud van haare soonen of reparatie van ne scheepen, en zy zullen geenerley wys worden gehouden, of verhinde de gemelde havens of den te vertrekken, maar gen verzylen en gaan neer en waar het hun haagt, zonder eenig be vermindering.

ARTICLE XVIII.

Tot des te beeter vertzetting der weederfyde commercie, is over ee

ould break out, between
 ir High Mightinesses the
 tes General of the United
 herlands, and the United
 tes of America, there shall
 ays be granted to the sub-
 s on each side, the term
 nine months after the date
 the rupture, or the pro-
 mation of war, to the
 l that they may retire,
 h their effects, and trans-
 t them where they please,
 ich it shall be lawful for
 m to do, as well as to sell
 ransport their effects and
 ods, in all freedom and
 hout any hindrance, and
 hout being able to pro-
 d, during the said term
 nine months, to any arrest
 their effects, much less of
 ir persons; on the con-
 ry, there shall be given
 em, for their vessels and
 ir effects, which they
 ould carry away, passports
 d safe conducts for the
 arest ports of their respec-
 e countries, and for the
 ne necessary for the voy-
 e. And no prize made at
 t, shall be adjudged lawful,
 least, if the declaration of
 ar was not or could not be
 own, in the last port,
 hich the vessel taken, has
 itted, but for whatever
 ay have been taken from

komen, dat indien een oor-
 log mogt komen te ontstaan,
 tusschen haar Hoog Mogen-
 de de Staten Generaal der
 Vereenigde Nederlanden,
 en de Vereenigde Staten
 van America, altyd aan de
 onderdanen van de een of
 andere zyde zal worden ge-
 geeven den tyd van neegen
 maanden, na dato vande
 rupture of proclamatie van
 oorlog, om haar te mogen
 retireeren met haare effec-
 ten, endezelve te vervoeren,
 waar het haar believen zal,
 het welk haar geoorloft zal
 zyn te mogen doen; als
 meede te mogen verkoopen
 of transporteeren haare goe-
 deren en meubilien in alle
 vryheid; sonder dat men
 haar daarin eenig belet zal-
 doen; ook zonder geduur-
 ende den tyd van de voor-
 schreeve neegen maanden te
 mogen procedeeren tot eenig
 arrest van haare effecten, veel
 min van haare perloonen,
 maar zullen inteegeendeel
 voor haare scheepen, en ef-
 ecten, die zy zullen willen
 meedevoeren worden gegee-
 ven pasporten van vry ge-
 leide tot de naeste havenen
 in elkanders Landen voor
 den tyd, tot de reizen nodig.
 Ook zullen geen pryfen op
 zee genomen voor wettig

the subjects and inhabitants of either party, and for the offences which may have been given them, in the interval of the said terms, a complete satisfaction shall be given them.

genomen gehouden mog worden, ten minsten indi de oorlogs-declaratie, n bekend was geweest of h kunnen zyn in de hav die het geenoome schip l laaft heeft verlaten, maar voor al, het geen aan onderdanenen ingezeten van weederfyd en binnen voorschreeve termynen, o nomen mogt zyn, en de leedigingen, die hun aan daan zouden mogen z volkoomen satisfactie geg ven worden.

ARTICLE XIX.

No subject of their High Mightinesses the States General of the United Netherlands, shall apply for or take any commission or letters of marque, for arming any ship or ships to act as privateers against the said United States of America, or any of them, or the subjects and inhabitants of the said United States or any of them, or against the property of the inhabitants of any of them, from any prince or state with which the said United States of America may happen to be at war; nor shall any subject or inhabitant of the said United States of America, or any of them,

ARTICLE XIX.

Geen onderdaan van h Hoog Mogende de Stat General der Verecnig Nederlanden, zullen mog verfoeken of aanneem enige commissien, of lett de marque tot het wapen van eenig schip, of scheep ten einde als kapers te ag ren teegens de gemelde V reenigde Staten van merica of eenige der zelv of teegens de onderdan of ingezeetenen der gemel Vereenigde Staten, of ee ige der zelve, of teegens d eigendom der ingezeeten van eenige der zelve, v eenige prins of staat, m wien de voorschreeve V reenigde Staten van Am

only for or take any commission or letters of marque for arming any ship or ships to act as privateers against the High and Mighty Lords the States General of the United Netherlands, or against the subjects of their High Mightinesses, or any other prince or state with which their High Mightinesses may be at war: And if any person of either nation shall take such commission or letters of marque, he shall be punished as a pirate.

rica in oorlog mogten zyn; nochte zal eenige onderdaen of ingezeeten van de gemelde Vereenigde staten van America, of eenige derselve, eenige commissie off lettres de marque verfoeken of aanneemen, tot het wapenen van enig schip of scheepen, om ter kaap te vaaren tegens de Hoog Mogende Heeren Staten Generaal der Vereenigde Nederlanden, of tegens de onderdaenen of ingezeetenen van gemelde Haar Hoog Mogende, of eenige van deselve, of den eigendom van eenige derselve, van eenige Prins of Staat, met wien haar Hoog Mogende in oorlog zullen zyn; en indien enig persoon van een van beide nationen zodanige commissie of lettres de marque zal aanneemen zal deselve als een zee rover worden gestraft.

ARTICLE XX.

If the vessels of the subjects or inhabitants of one of the parties come upon any vessel belonging to either of the said allies, but not willing to enter into port, or being entered into port and not willing to unload their cargoes or break bulk, or take any cargo, they shall not

ARTICLE XX.

De scheepen der onderdaenen of ingezeetenen van een van beide de parthyen, komende aan eenige kust, toebehoorende aan de een of andere der gemelde bondgenooten, doch niet voorneemens zynde in een haven binnen te loopen, of binnen gelooopen zynde, en niet be-

be obliged to pay, neither for the vessels nor the cargoes, any duties of entry in or out, nor to render any account of their cargoes, at least if there is not just cause to presume that they carry to an enemy merchandizes of contraband.

ARTICLE XXI.

The two contracting parties grant to each other mutually, the liberty of having each in the ports of the other, consuls, vice-consuls, agents and commissaries of their own appointing, whose functions shall be regulated by particular agreement, whenever either party chooses, to make such appointments.

ARTICLE XXII.

This treaty shall not be understood in any manner to derogate from the ninth, tenth, nineteenth and twenty-fourth articles of the treaty with France, as they were numbered in the same treaty, concluded the sixth of

geerende hunne ladingen lossen, of last te breeken, by te laden, zullen n gehouden zyn voor haafcheepen of laadingen eeni inkomende, of uitgaen regten te betalen nog ee ge reekenschap van haare dingen te geeven, ten msten indien er geen wet vermoeden is, dat zy aan e vyand toevoeren koopma schappen van contraband

ARTICLE XXI.

De twee contracteeren parthyen vergunnen over weeder aan elkanderen vryheid, om ieder in de lvens van den anderen, co suls vice-consuls, agenten commissarijssen van hunne gen aanstelling te hebbe welkers functien geregule zullen worden by partic liere overeenkomst, wanne ooit eene der beide parthy goevind zodanige aanst ling te doen.

ARTICLE XXII.

Dit tractaat zal in geen hande opsigten verstaan w den te derogeeren aan de 10, 19 en 24 articulen, v het tractaat met Vrankry soo als die genummerd z geweest in het zelve tracta den 6 Februaary 1778, geslo

February 1778, and which make the articles ninth, tenth, seventeenth and twentieth, second of the treaty of commerce now subsisting between the United States of America, and the crown of France: nor shall it hinder his Catholic Majesty from acceding to that treaty, and enjoying the advantages of the said four articles.

ARTICLE XXIII.

If at any time the United States of America shall judge necessary to commence negotiations with the King or Emperor of Morocco and Algiers, and with the Regencies of Algiers, Tunis or Tripoli, or with any of them, to obtain passports for the security of their navigation in the Mediterranean sea, their High Mightinesses promise that upon the requisition which the United States of America shall make of it, they will second such negotiations in the most favourable manner, by means of their consuls, residing near the said King, Emperor and Regencies.

ten, zynde de 9, 10, 17 en 22 articulen van het tractaat van commercie, soo als het nu in kragt is, tusschen de Vereenigde Staten van America en de kroon van Vrankryk: en zal meede niet beletten, dat syne Catholicque Majesteit aan t'selve zoude accedeeren, en van het beneficie der gemelde vier articulen jouisseeren.

ARTICLE XXIII.

By aldien de Vereenigde Staten van America, t'eeniger tyd nodig mogten vinden, om by den koning of keizer van Marocco of Fez, mitsgaders by de regeeringen van Algiers, Tunis of Tripoli, of by eenige van dezelve, negotiatien te entameeren tot het verkrygen van pasporten, ter beveiliging van hunne navigatie op de Middellandsche zee, zoo beloven haar Hoog Mogende op het aanzoek van Hoogstgedagte Vereenigde Staten, die negotiatien door middel van hunne by den voorschreeve koning of keizer en regeeringen, resideerende consuls op de favorabelte wyze te zullen secondeeren.

CONTRABAND.

ARTICLE XXIV.

The liberty of navigation and commerce shall extend to all sorts of merchandizes, excepting only those which are distinguished under the name of contraband, or merchandizes prohibited: and under this denomination of contraband and merchandizes prohibited, shall be comprehended only warlike stores and arms, as mortars, artillery, with their artifices and appurtenances, fusils, pistols, bombs, grenades, gun-powder, saltpetre, sulphur, match, bullets and balls, pikes, sabres, lances, halberts, caïques, cuirasses, and other sorts of arms; as also soldiers, horses, saddles and furniture for horses; all other effects and merchandizes, not before specified expressly, and even all sorts of naval matters, however proper they may be for the construction and equipment of vessels of war, or for the manufacture of one or another sort of machines of war by land or sea, shall not be judged contraband, neither by the letter, nor according to any pretended in-

CONTRABANDE.

ARTICLE XXIV.

De vryheid van navigatie en commercie zal zig uitstrekken tot alle soorten van koopmanschappen, uitgesondert alleen deeze, welke onderscheiden zyn onder den naam van contraband of verbodene goederen: onder deeze benoeming van contrabande of verbodene goederen, zullen alleen te greepen zynde oorlogs artikelen, of wapenen, als mortieren, geschut met zwaar vuurwerken, en het geslacht daar toebehoort; geweer en pistoolen, bomben, granaten, buspulver, salpêtre, zwavel, lonten, kogels, pikken, zwaarden, lancien, halberden, casquetten, cuirassen, en diergelyk soort van wapentuig, ook soldaten paarden, zadels, en toerusting van paarden. Alle andere goederen en koopmanschappen, hier boven niet uitdrukkelijk gespecificeerd, ja zelfs alle soorten van scheepsmaterialen, hoe ze dezelve ook zouden mogen zyn geschikt, tot het bouwen of equipereen van oorlogsschepen, of tot het maken van het een of ander o

retation whatever, ought
 by, or can they be com-
 mended under the notion
 effects prohibited or con-
 mand. So that all effects
 merchandizes, which
 not exprefsly before
 ed, may, without any ex-
 ion, and in perfect liber-
 be transported by the
 ects and inhabitants of
 allies, from and to
 es belonging to the ene-
 excepting only the
 es which at the same
 shall be besieged, block-
 r invested; and those
 s only shall be held for
 which are surrounded
 y by some of the belli-
 nt powers.

logftuig, te water of te lan-
 de, zullen mits dien nog
 volgens den letter, nog vol-
 gens eenige voor te wende
 interpretatie van dezelve,
 hoe oock genaamt onder ver-
 boodene of contrabande goe-
 deren, begreepen kunnen of
 mogen worden: zoo dat alle
 dezelve goederen, waaren en
 koopmanschappen, hier bo-
 ven niet uit drukkelyk ge-
 noemt, sonder eenig onder-
 scheid zullen mogen wor-
 den getransporteert en ver-
 voert in alle vryheid, door
 de onderdanen en ingezee-
 tenen van beide bondgenoo-
 ten, van en na plaatsen, aan
 den vyand toebehoorende,
 zodanige steden of plaat-
 sen alleen uitgefondert,
 welke op die tyt beleegert,
 geblocqueert of geïnvesteert
 zyn, waar voor alleenlyk
 worden gehouden de zulke,
 die door een der oorlogvoe-
 rende mogendheeden van na
 by ingeslooten worden ge-
 houden.

ARTICLE XXV.

to the end that all dissen-
 and quarrel may be
 ed and prevented, it has
 agreed, that in case that
 of the two parties hap-
 to be at war, the vessels
 ging to the subjects or
 nitants of the other ally,

ARTICLE XXV.

Ten einde alle dissentie en
 twist mag werden vermyd
 en voorgekomen, is over
 een gekomen, dat ingeval
 een van beide de parthyen
 in oorlog mogt komen te
 geraken, de scheepen en
 vaartuigen, toebehoorende

shall be provided with sea-letters or passports, expressing the name, the property and the burthen of the vessel, as also the name and the place of abode of the master, or commander of the said vessel, to the end, that thereby it may appear, that the vessel really and truly belongs to subjects or inhabitants of one of the parties; which passports shall be drawn and distributed, according to the form annexed to this treaty, each time that the vessel shall return, she should have such her passport renewed, or at least, they ought not to be of more ancient date than two years, before the vessel has been returned to her own country.

It has been also agreed, that such vessels, being loaded, ought to be provided not only with the said passports or sea-letters, but also with a general passport, or with particular passports or manifests, or other public documents, which are ordinarily given to vessels outward bound in the ports from whence the vessels have set

aan de onderdanen of inzeetenen van de andere; lieerde, met zee-brieven pasporten, moeten we voorzien, expresseerende naam, eigendom en de gr van het schip of vaartuig meede den naam, plaats woning van den schipper of bevelhebber van het schip of vaartuig einde daar by mag blyven dat het schip reël en in verheid aan de onderdanen ingezeetenen van een parthyen toebehoord, pasport zal worden gemaakt en uitgegeeven, volgens het formulier, agt tractaat gevoegt. Dit zullen ieder, reize dat het schip thuis is geweest nieuw verleent moeten of ten minsten nietouder gen zyn, als twee jaar, v tyd, dat het schip laatst thuis geweest.

Het is insgelyks vastelt, dat zodanige schepen of vaartuigen gelaaden zyn moeten wezen voorzien alleen met pasporten of brieven bovengemeld; ook met een generaal pasport of particuliere pasport, manifesten, of andere licque documenten, die havenen, van waar de schepen laatst gekomen zyn

in the last place, contain a specification of the name of the place from whence the vessel departed, and of that of her destination; or, instead of all these, certificates from the Magistrates or Governors of the places and colonies, from whence the vessel came, in the usual form, to certify that it may be lawful to trade with, or to sell, whether there are any effects prohibited or contraband, on board the vessels, and whether they are destined to be carried to an enemy's country or not; and that no one judges proper to express in the said certificates, the persons to whom the effects on board belong, he may do it freely, without, however, being bound to do it; and the omission of such expression shall not and ought not to incur a confiscation.

woonlyk gegeven worden aan de uitgaende scheepen, inhoudende een specificatie van de lading de plaats van waar het schip gezeild is, en waar heenen het gedestineert is, of by gebreeke van alle deselve met certificaten van de magistraten of gouverneurs der steden, plaatsen en colonien, van waar het schip vertrokken is, in de gewoond form gegeven, op dat geweeten kan worden, of eenige verboode of contrabande goederen, aan boord van de scheepen zyn, en of zy daar meede na's vyands landen gedestineert zyn, of niet. En by aldien iemand goetdunkt of raadzaam vind, om in de gemelde bescheiden uit te drukken de personen, aan wien de aan boord zynde goederen toe-komen, vermag hy zulks vryelyk te doen, selder egter daar toe gehouden te sijn, of dat gebrek van die uitdrukking geleegeheid tot confiscatie kan of mag geeven.

ARTICLE XXVI.

If the vessels of the said subjects or inhabitants of either of the parties, sailing along the coasts or on the high seas, are met by a vessel of war, or privateer, or

ARTICLE XXVI.

Indien de scheepen of vaartuigen van de gemelde onderdanen of ingezeetenen van een van beide de partyen, zeilende langs de kusten off in de open zee, ontmoet zul-

other armed vessel of the other party, the said vessels of war, privateers, or armed vessels, for avoiding all disorder, shall remain without the reach of cannon, but may send their boats on board the merchant vessel, which they shall meet in this manner, upon which they may not pass more than two or three men, to whom the master or commander shall exhibit his passport, containing the property of the vessel, according to the form annexed to this treaty: And the vessel, after having exhibited such a passport, sea-letter and other documents, shall be free to continue her voyage, so that it shall not be lawful to molest her, or search her in any manner, nor to give her chase nor to force her to alter her course.

ARTICLE XXVII.

It shall be lawful for merchants, captains and commanders of vessels, whether

en worden door eenig s
van oorlog, kaper, of ge
pend vaartuig van de and
parthy, zullen de ger
de orlog-scheepen, ka
of gewapende vaartui
tot vermyding van alle
ordre, buiten bereik van
geschut blyven, dog hu
booten mogen zenden
boord van het koopvaa
fchip, welke zy op die
zullen ontmoeten, en op
zelve mogen overgaan
getalle alleen van twe
drie man, aan wien de sc
per of bevelhebber van
danig fchip of vaartuig
pasport zal vertoonen,
houdende den eigendom
het fchip of vaartuig in
volge het formulier, a
dit tractaat gevoegt, en
het fchip of vaartuig na
vertoonig van dusdanig
port, zee-brief en verdere
fcheiden vry en liber zyn
defzels reis te vervolg
zoo dat niet geoorloft
zyn het zelve op eenigerh
de wyze te molesteeren
doorzoeken, nog jagt op h
te maken, of het felve
forceeren, haare voorge
men cours te verlaten.

ARTICLE XXVII.

Het zal geoorloft zyn
kooplieden, capiteins, en
velhebbers van fcheepen,

public and of war, or private
 of merchants, belonging
 the said United States of
 America, or any of them, or
 their subjects and inha-
 bitants, to take freely into
 their service, and receive on
 board of their vessels, in any
 port or place in the jurisdic-
 tion of their High Migh-
 tinesses aforesaid, seamen or
 others, natives or inhabitants
 of any of the said states, upon
 such conditions as they shall
 agree on, without being sub-
 ject for this, to any fine, pen-
 ny, punishment, process or
 apprehension whatsoever.

zy publicque en ten oor-
 log, of particuliere en ter
 koopvardy vaarende, toebe-
 hoorende aan de gemelde
 Vereenigde Staten van A-
 merica, of eenige van de-
 zelve, of aan de onderdan-
 en en ingezeetenen van een-
 ige derzelve, vryelyk in hun-
 ne dienst aan te neemen, en
 aan boord van haare gemel-
 de schepen te ontfangen, in
 iedere der havens of plaat-
 sen onder de jurisdictie van
 voornoemde Haar Hoog
 Mogende, eenige bootsge-
 zellen of anderen, zynde
 inboorlingen of ingezeet-
 enen van eenige der gemel-
 de Staten, op zulke voor-
 waarden, als zal werden
 over eengekomen, zonder
 daar voor aan eenige boete,
 pene, straffe, proces of ber-
 isping heegenaamt onder-
 heevig te zyn.

And reciprocally, all mer-
 chants, captains and com-
 manders, belonging to the
 said United Netherlands,
 shall enjoy, in all the ports
 and places under the obedi-
 ence of the said United
 States of America, the same
 privilege of engaging and re-
 ceiving seamen or others,
 natives or inhabitants of any
 country of the denomination
 of the said States General;

En zullen reciproquelyk
 alle kooplieden, capiteinen
 en bevelhebbers van schee-
 pen, behoorende tot de
 voorschreeven Vereenigde
 Nederlanden, in alle de ha-
 vens en plaatsen, onder het
 gebied van de gemelde Ver-
 eenigde Staten van Amer-
 ica, het zelve voorregt gen-
 ieten tot aanneeming en ont-
 fangen van bootsgezellen of
 anderen, zynde inboorlin-

Provided, that neither on one side nor the other, they may not take into their service such of their countrymen who have already engaged in the service of the other party contracting, whether in war or trade, and whether they meet them by land or sea; at least if the captains or masters under the command of whom such persons may be found, will not of his own consent discharge them from their service; upon pain of being otherwise treated and punished as deserters.

gen of ingezeetenen van eenige der domeinen van gemelde Staten Generaal met dien verstande, dat men nog aan de eene nog aan de andere zyde zig zal men bedienen van zodanigen zyner landsgenooten, die z reeds in dienst van de andere contracteerende partye, het zy ten oorlog het zy op koopvaardy scheep heeft geëngageert, het men deselve aan de val wal, dan wel in zee zou mogen ontmoeten, ten minsten indien de capiteinen-schippers, onder wiens bevel zodanige perfoonen zou mogten bevinden, deselve niet vrywillig uit hun dienst wilde ontslaan, op poene dat dezelve andersins op den voet van wegloopen zullen worden behandelen en gestraft.

ARTICLE XXVIII.

The affair of the refraction shall be regulated in all equity and justice, by the magistrates of cities respectively, where it shall be judged that there is any room to complain in this respect.

ARTICLE XXIX.

The present treaty shall be ratified and approved by

ARTICLE XXVIII.

De toelieg voor refraction zal in alle redelykheid en billykheid worden geregeld by de magistraten der respectieve steeden, alwaar men oordeelt, dat eenige bezwaarendesweegensplae hebben.

ARTICLE XXIX.

Het tegenwoordig traat zal werden geratificeer-

their High Mightinesses the States General of the United Netherlands, and by the United States of America; and the acts of ratification shall be delivered, in good and due form, on one side and on the other, in the space of six months, or sooner if possible, to be computed from the day of the signature.

In faith of which, We the Deputies and Plenipotentiaries of the Lords the States General of the United Netherlands, and the Minister Plenipotentiary of the United States of America, in virtue of our respective authorities and full powers, have signed the present treaty, and opposed thereto the seals of our arms.

DONE at the Hague the eighth of October, one thousand seven hundred and eighty-two.

(L.S.) *John Adams.*

en geapprobeert by Hoogst-gemelde Staten Generaal der Vereenigde Nederlanden, en Hoog gemelde Vereenigde Staten van America, en zullen de acten van ratificatien van de eene en de anderezydeingode ende behoorlyke forme woede overgeleeverd binnen den tyd van zes maanden, ofte eerder zo het zelve kan geschieden, te reekenen van den dag van de onderteekening.

Ten oirkonde deezes, hebben wy Gedeputeerden, en Plenipotentiarissen van de Heeren Staten Generaal der Vereenigde Nederlanden, en Minister Plenipotentiaris der Vereenigde Staten van America, uitkragte van onze respectie authorisatie en plein pouvoir, deeze onderteekent, en met onze gewoone cachetten bekrachtigt.

In den Hage den agtsten October, een duyfent seeven hondert twee en tagtig.

(L.S.) *George Van Randwyck.*

(L.S.) *B. V. D. Santheuwel.*

(L.S.) *P. V. Bleiswyck.*

(L.S.) *W. C. H. Van Lynden.*

(L.S.) *D. I. Van Heeckeren.*

(L.S.) *Joan Van Kuffeler.*

(L.S.) *F. G. Van Dedem tot den Gelder.*

(L.S.) *H. Tjassens.*

ORIGINAL.

CONVENTION between the Lords the States General of the United Netherlands, and the United States of America, concerning Vessels re-captured.

THE Lords the States General of the United Netherlands, and the United States of America, being inclined to establish some uniform principles with relation to prizes made by vessels of war, and commissioned by the two contracting powers, upon their common enemies, and to vessels of the subjects of either party, captured by the enemy, and re-captured by vessels of war commissioned by either party, have agreed upon the following articles.

ARTICLE I.

The vessels of either of the two nations re-captured by the privateers of the other, shall be restored to the first proprietor, if such vessels have not been four and twenty hours in the power of the enemy, provided the owner

ORIGINELE.

CONVENTIE tusschen de Heeren Staten Generaal der Vereenigde Nederlanden en Vereenigde Staten van America, rakende de hernomen Scheepen.

DE Heeren Staten Generaal der Vereenigde Nederlanden, en Vereenigde Staten van America, genegen synde, eenige gelykvoelige grond beginzelen vast te stellen, omtrent het opbrengen van prijzen door de oorlogschepen en commissievaarders van wederzyds contraherende partyen, op der zelve gemeen vyanden genomen. en omtrent de scheepen van elkaars onderdanen, door de vyand genomen, en by de oorlogschepen en commissievaarders van wederzyden hernomen zyn met de anderen over eengekomen omtrent de navolgende artikelen.

ARTICLE I.

De scheepen van eene der beide natien door kapers van den andere hernomen, zullen aan den eersten eigenaer wedergegeeven worden, indien die scheepen nog geer vier en twintig uren in de magt van den vyand geweest

the vessel re-captured, therefor one third of the value of the vessel, as also that of the cargo, cannons and apparel, which third shall be valued by agreement, between the parties interested; or, if they do not agree thereon among themselves, they shall address themselves to the officers of the admiralty, of the place where the privateer who has re-taken the vessel shall have conducted

zyn, mits door den eigenaer van het hernoomte schip daarvoor betaald worde eenderde van de waarde van het schip mitigaders van de laading, canons, en scheepscerusting, welk derde in der minste begroot zal worden door de geïnteresseerde parthyen; of andersints, en zoo zy desweegens niet over een konden komen, zullen zy zich adresseren aan de bedienden der admiraliteit van de plaats alwaar de kaper die het schip hernomen heeft, het zelve zal hebben opgebracht.

ARTICLE II.

If the vessel re-captured been more than twenty-four hours in the power of an enemy, she shall belong solely to the privateer who re-taken her.

ARTICLE II.

Indien het hernomen schip langer dan vier en twintig uren in's vyands magt geweest is, zal het in't geheel aan den kaper, die het zelve hernomen heeft toebehooren.

ARTICLE III.

In case a vessel shall have been re-captured by a vessel of war, belonging to the States General of the United Netherlands, or to the United States of America, she shall be restored to the owner, he paying a trieth part of the value of the vessel, her cargo, cannons and apparel, if she has been captured in the interval of twenty-four hours, and the

ARTICLE III.

Ingevalle een schip zal hernomen geweest zyn door een oorlog-schip of vaartuig, toebehoorende aan de Staten Generaal der Vereenigde Nederlanden of aan de Vereenigde Staten van America, zal het zelve aan den eersten eigenaer wedergegeven worden, mits betaalde een dertigste gedeelte van de waarde van het schip en deszelfs laading, canons,

tenth part if she has been recaptured after the twenty-four hours; which sums shall be distributed in form of gratifications to the crews of the vessels which shall have re-taken her. The valuation of the said thirtieth parts and tenth parts, shall be regulated according to the tenour of the first article of the present convention.

ARTICLE IV.

The restitution of prizes, whether they may have been retaken by vessels of war or by privateers, in the mean time and until requisite and sufficient proofs can be given of the property of vessels recaptured, shall be admitted in a reasonable time, under sufficient securities for the observation of the aforesaid articles.

ARTICLE V.

The vessels of war and privateers, of one and of the other of the two nations, shall be reciprocally, both in Europe and in the other parts of the world, admitted

en sloopstoerusting, en aldien het binnen de vier twintig uren hernomen en het tiende gedeelte z het naa de vier en twint uren hernomen is: welke sommen als een gratificatie verdeeld zullen worden onder de equipagien van de sloopen die het zel hernomen zullen hebben. De begroting der bovengemelde dertigste, en tien gedeeltens zal gereguleet worden naar luid van de eerste articul der tegenwoordige conventie.

ARTICLE IV.

De restitutie der pryzen het zy door oorlog-sloopen of kapers hernomen, ondertusschen en tot dat hoorlyk en voldoende bewijs van den eigendom der hernomen sloopen gegeven kan worden, onder sufficientie wegens het nakomen der bovenstaande articul binnen een reedelyken geadmitteert werden.

ARTICLE V.

De oorlog en kaper sloopen van de eene en der andere der beide natien zullen wederzyds, zoo in Europa als in de andere weerdeelen in elkanders resp

in the respective ports of which may be unloaded and sold according to the formalities used in the state where the prize shall have been conducted, as far as may be consistent with the twenty-second article of the treaty of commerce: Provided always, That the legality of prizes by the vessels of the two Countries, shall be decided conformably to the laws and regulations established in the United Netherlands; as likewise, that of prizes made by American vessels, shall be judged according to the laws and regulations determined by the United States of America.

ARTICLE VI.

Moreover, it shall be free for the States General of the United Netherlands, as well for the United States of America, to make such regulations as they shall judge necessary, relative to the conduct which their respective vessels and privateers ought to hold in relation to the vessels which they shall have taken and conducted

tive havens toegelaten worden met hunne pryzen, welke aldaar zullen mogen ontladen en verkocht worden, naar de formaliteiten gebruikelijk in den staat, alwaar de prys zal weezen opgebracht, soo verhet bestaanbaar is met het zalte articul van het tractaat van commercie; met dien verstande, dat de wettigheid der pryzen door Nederlandsche scheepen gemaakt zal beslist worden, naar luid der wetten en reglementen, te deezer zake in de Vereenigde, Neederlanden, vast gesteld, gelyk ook die der pryzen door Americaansche scheepen gemaakt, zal beoordeelt worden volgens de wetten en reglementen byde Vereenigde Staten van America bepaald.

ARTICLE VI.

Voor het overige zal het aan de Staten Generaal der Vereenigde Nederlanden, als meede aan de Vereenigde Staten van America, vry staan, zodanige reglementen te maken als zy zullen oordeelen te behooren; met betrekking tot het gedrag't geen hunne scheepen en kapers weederlyds verplicht zullen weezen te houden,

into the ports of the two powers.

ten opzigt der ſcheepen o
zy genomen, en opgebra
zullen hebben in de have
der beide mogendheeden.

In faith of which, We the
Deputies and Plenipoten-
tiaries of the Lords the
States General of the Uni-
ted Netherlands, and Mi-
nister Plenipotentiary of
the United States of Ame-
rica, have, in virtue of
our reſpective authorities
and full powers, ſigned
theſe preſents, and con-
firmed the ſame with the
ſeal of our arms.

Ten oirkonde deezes, he
ben Wy Gedeputeerd
en Plenipotentiariſſen v
de Heeren Staten Ger
raal der Vereenigde N
derlanden, en Miniſt
Plenipotentiariſ der V
reenigde Staten van
merica, uyt kragt v
onze reſpective authori
tie en plein pouvoir, dee
ondertee kent en met o
ze gewoone cachetten b
kragtigt.

DONE at the Hague, the
eighth of October, one
thouſandſevenhundred
and eighty-two.

GEDAAN in's Hage, d
agttien October, e
duyſent ſeeven honde
twee en tagtig.

(L.S.) *John Adams.*

(L.S.) *George Van Randwyck*

(L.S.) *B. V. D. Santheuvel*

(L.S.) *P. V. Blciſwyk.*

(L.S.) *W. C. H. Van Lynde*

(L.S.) *D. J. Van Heeckeren*

(L.S.) *Joan Van Kuffeler.*

(L.S.) *F. G. Van Dordem t
den Gelder.*

(L.S.) *H. Tjaſſens.*

ORIGINAL.

PROVISIONAL ARTICLES *between the UNITED STATES of AMERICA, and His BRITANNIC MAJESTY.*

ARTICLES *agreed upon, by and between Richard Oswald, Esquire, the Commissioner of His BRITANNIC MAJESTY, for treating of Peace with the Commissioners of the UNITED STATES of AMERICA, in behalf of His said Majesty, on the one Part, and John Adams, Benjamin Franklin, John Jay, and Henry Laurens, four of the Commissioners of the said States, for treating of Peace with the Commissioner of His said Majesty, on their behalf, on the other Part, to be inserted in, and to constitute the Treaty of Peace, proposed to be concluded between the Crown of GREAT-BRITAIN and the said UNITED STATES; but which Treaty is not to be concluded until Terms of a Peace shall be agreed upon between GREAT-BRITAIN and FRANCE; and His BRITANNIC MAJESTY shall be ready to conclude such Treaty accordingly.*

WHEREAS reciprocal advantages and mutual convenience are found by experience to form the only permanent foundation of peace and friendship between states; it is agreed to form the articles of the proposed treaty, on such principles of liberal equity and reciprocity, as that partial advantages, (those seeds of discord) being excluded, such a beneficial and satisfactory intercourse between the two countries may be established, as to promise and secure to both perpetual peace and harmony.

ARTICLE I.

His Britannic Majesty acknowledges the said United States, viz. New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, to be free, sovereign and independent States; that he treats with them as such; and for himself, his heirs and successors, relinquishes all claims to the government, propriety

and territorial rights of the same, and every part there. And that all disputes which might arise in future, on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are, and shall be their boundaries, viz.

ARTICLE II.

From the north-west angle of Nova-Scotia, viz. the angle which is formed by a line, drawn due north from the source of St. Croix river to the Highlands; along the said Highlands which divide those rivers, that empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean, to the northwesternmost head of Connecticut river, thence down along the middle of that river, to the forty-fifth degree of north latitude; from thence, by a line due west on said latitude, until it strikes the river Iroquois or Cataraquy; thence along the middle of said river into Lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and Lake Erie; thence along the middle of said communication into Lake Erie, through the middle of said lake until it arrives at the water communication between that lake and lake Huron; thence along the middle of said water communication into the Lake Huron; thence through the middle of said lake to the water communication between that lake and Lake Superior; thence through Lake Superior northward of the islands Royal and Philipeaux, to the Long Lake; then through the middle of said Long Lake, and the water communication between it and the Lake of the Woods to the said Lake of the Woods; thence through the said lake to the most north-western point thereof, and from thence on a due west course to the river Mississippi; then by a line to be drawn along the middle of the said river Mississippi until it shall intersect the northernmost part of the thirty-first degree of north latitude. South by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the Equator, to the middle of the river Apalachico

Catahouchi; thence along the middle thereof to its junction with the Flint river; thence straight to the head of St. Mary's river; and thence down along the middle of St. Mary's river to the Atlantic ocean. East by a line to be drawn along the middle of the river St. Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid Highlands which divide the rivers that fall into the Atlantic ocean, from those which fall into the river St. Lawrence: comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova-Scotia on the one part, and East-Florida on the other, shall respectively touch the Bay of Fundy and the Atlantic ocean; excepting such islands as now are, or heretofore have been within the limits of the said province of Nova-Scotia.

ARTICLE III.

It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the grand bank, and on all the other banks of Newfoundland; also in the gulph of St. Lawrence, and in all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish; and also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use (but not to dry or cure the same on that island); and also on the coasts, bays and creeks of all other of his Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours and creeks of Nova-Scotia, Magdalen islands, and Labrador, so long as the same shall remain unsettled; but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement, without a previous agreement for that purpose with the inhabitants, proprietors or possessors of the ground.

ARTICLE IV.

It is agreed that creditors on either side, shall meet with no lawful impediment to the recovery of the full value sterling money, of all bona fide debts heretofore contracted.

ARTICLE V.

It is agreed that the Congress shall earnestly recommend it to the legislatures of the respective states, to provide for the restitution of all estates, rights and properties, which have been confiscated, belonging to real British subjects and also of the estates, rights and properties of persons resident in districts in the possession of his Majesty's arms and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States, and therein to remain twelve months, unmolested in their endeavours to obtain the restitution of such of their estates, rights and properties as may have been confiscated; and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises so as to render the said laws or acts perfectly consistent not only with justice and equity, but with that spirit of conciliation, which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several states, that the estates, rights and properties of such last mentioned persons, shall be restored to them, they refunding to any persons who may be now in possession, the bona fide price (where a price has been given) which such persons may have paid in purchasing any of the said lands, rights or properties since the confiscation. And it is agreed, that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

ARTICLE VI.

That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons

as for, or by reason of the part which he or they may have taken in the present war; and that no person shall, on that account, suffer any future loss or damage, either to his person, liberty or property, and that those who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

ARTICLE VII.

There shall be a firm and perpetual peace between his Britannic Majesty and the said States, and between the subjects of the one and the citizens of the other, where-ever all hostilities both by sea and land shall then immediately cease: all prisoners on both sides shall be set at liberty, and his Britannic Majesty shall with all convenient speed, without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets from the said United States, and from every port, place and town within the same; leaving in all fortifications the American artillery that may be therein; and shall also order and cause all archives, records, deeds and papers, belonging to any of the said states, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

ARTICLE VIII.

The navigation of the river Mississippi, from its source to the ocean, shall for ever remain free and open to the subjects of Great-Britain, and the citizens of the United States.

ARTICLE IX.

In case it should so happen that any place or territory belonging to Great-Britain or to the United States, should be conquered by the arms of either from the other, before the arrival of these articles in America, it is agreed,

that the same shall be restored without difficulty, and without requiring any compensation.

D O N E at PARIS, the thirtieth day of November, in year one thousand seven hundred and eighty-two.

RICHARD OSWALD, (L. S.)
 JOHN ADAMS, (L. S.)
 B. FRANKLIN, (L. S.)
 JOHN JAY, (L. S.)
 HENRY LAURENS, (L. S.)

Witness,

CALEB WHITEFOORD, *Secretary to the British Commission*
 W. T. FRANKLIN, *Secretary to the American Commission*

TRANSLATION OF THE

TREATY of AMITY and
 COMMERCE, concluded
 between his Majesty the
 King of Sweden and the
 United States of North-
 America.

THE King of Sweden, of
 the Goths and Vandals,
 &c. &c. &c. and the Thir-
 teen United States of North-
 America—to wit: New-
 Hampshire, Massachusetts-
 Bay, Rhode-Island, Connec-
 ticut, New-York, New-Jer-
 sey, Pennsylvania, the coun-
 ties of New-Castle, Kent and
 Suffex on Delaware, Mary-
 land, Virginia, North-Caro-
 lina, South-Carolina, and
 Georgia, desiring to establish
 in a stable and permanent
 manner the rules which

ORIGINAL.

TRAITÉ d'AMITIÉ e.
 COMMERCE conclu
 tre sa Majesté le Roi
 Suede et les Etats U
 de l'Amérique Septen
 onale.

LE Roi de Suede
 Goths et des Vanda
 &c. &c. &c. et les tre
 Etats Unis de l'Am
 que Septentrionale, scav
 New-Hampshire, Massac
 fets-Bay, Rhode-Is
 Connecticut, New-Yc
 New-Jersey, Pensylvanie,
 comtés de New-Castle,
 Kent et de Suffex sur la
 laware, Maryland, Virg
 Caroline Septentrionale,
 roline Méridionale, et Ge
 gie, desirant d'établir d'u
 manière stable et per

ought to be observed relative to the correspondence and commerce which the two parties have judged necessary to establish between their respective countries, states and subjects; his Majesty and the United States have thought that they could not better accomplish that end than by taking for a basis of their arrangements the mutual interest and advantage of both nations thereby avoiding all those burthened preferences, which are usually sources of debate, embarrassment and discontent; and by leaving each party at liberty to make, respecting navigation and commerce, those interior regulations which shall be most convenient to itself.

With this view, his Majesty the King of Sweden nominated and appointed for his plenipotentiary, Count Gustavus Philip de Creutz, his ambassador extraordinary to his Most Christian Majesty, and knight commander of his orders; and the United States, on their part have fully empowered Benjamin Franklin, their minister plenipotentiary to his Most Christian

nente les règles qui doivent être suivies relativement à la correspondance et au commerce que les deux parties ont jugé nécessaire de fixer entre leurs pays, états et sujets respectifs, sa Majesté et les Etats Unis ont cru ne pouvoir mieux remplir ce but qu'en posant pour base de leurs arrangements, l'utilité et l'avantage réciproques des deux nations, en évitant toutes les préférences onéreuses qui sont ordinairement une source de discussions, d'embarras et de mécontentemens; et en laissant à chaque partie la liberté de faire au sujet du commerce et de la navigation, les réglemens intérieurs qui seront à sa convenance.

Dans cette vuë sa Majesté le Roi de Suede a nommé et constitué pour son plenipotentiare le Comte Gustave Philippe de Creutz, son ambassadeur extraordinaire près sa Majesté très Chrétienne et Chevalier commandeur de ses ordres; et les Etats Unis ont de leur côté pourvû de leurs plainpouvoirs le Sieur Benjamin Franklin, leur ministre plenipotentiare près sa Majesté très Chrétienne;

Majesty: the said plenipotentiaries, after exchanging their full powers, and after mature deliberation in consequence thereof, have agreed upon, concluded and signed the following articles:

ARTICLE I.

There shall be a firm, inviolable and universal peace and a true and sincere friendship between the King of Sweden, his heirs and successors, and the United States of America, and the subjects of his Majesty and those of the said States, and between the countries, islands, cities, and towns situated under the jurisdiction of the King and of the said United States, without any exception of persons or places; and the conditions agreed to in this present treaty, shall be perpetual and permanent between the King, his heirs and successors, and the said United States.

ARTICLE II.

The King and the United States engage mutually, not to grant hereafter any particular favour to other nations in respect to commerce and navigation, which shall not immediately become com-

ARTICLE I.

les quels, plénipotentiaires après avoir échangé leurs pleinpouvoirs et en conséquence d'une mûre délibération ont arrêté, conclu, signé les articles suivants.

Il y aura une paix ferme inviolable et universelle une amitié vraie et sincère entre le Roi de Suede, héritiers et successeurs, entre les Etats Unis de l'Amérique, ainsi qu'entre sujets de sa Majesté et ceux des dits Etats, comme aussi entre les pays, isles, villes, places, situées sous la juridiction du Roi, et des Etats Unis, sans exception aucune de personnes et de lieux; les conditions stipulées dans le présent traité devant être perpétuelles et permanentes entre le Roi ses héritiers et successeurs et les dits Etats Unis.

ARTICLE II.

Le Roi et les Etats Unis s'engagent mutuellement à n'accorder par la suite aucune faveur particulière de commerce et de navigation à d'autres nations qui ne devienne aussitôt com-

on to the other party, who shall enjoy the same favour freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional.

mune à l'autre partie; et celle-cy jouirra de cette faveur gratuitement si la concession est gratuite; ou en accordant la même compensation si la concession est conditionnelle.

ARTICLE III.

The subjects of the King of Sweden shall not pay in the ports, havens, roads, countries, islands, cities and towns of the United States, or in any of them, any other or greater duties or imposts of what nature soever they may be, than those which the most favoured nations do or shall be obliged to pay; and they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce which the said nations do or shall enjoy, whether in passing from one port to another of the United States, or in going to or from the same, from any part of the world whatsoever.

ARTICLE IV.

The subjects and inhabitants of the said United States shall not pay in the ports, havens, roads, islands, cities and towns under the

ARTICLE III.

Les sujets du Roi de Suede ne payeront dans les ports, havres, rades, contrées, îles, villes et places des États Unis, ou dans aucun d'iceux, d'autres ni de plus grands droits et impôts de quelque nature qu'ils puissent être, que ceux que les nations les plus favorisées font ou seront tenues de payer; et ils jouiront de tous les droits, libertés, privilèges, immunités et exemptions en fait de négoce, navigation et de commerce dont jouissent ou jouiront les dites nations, soit en passant d'un port à l'autre des dits États, soit en y allant ou en revenant de quelque partie ou pour quelque partie du monde que ce soit.

ARTICLE IV.

Les sujets et habitants des dits États Unis ne payeront dans les ports, havres, rades, îles, villes et places de la domination du Roi de Suede,

dominion of the King of Sweden, any other or greater duties or imposts of what nature soever they may be, or by what name soever called, than these which the most favoured nations are or shall be obliged to pay; and they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce which the said nations do or shall enjoy, whether in passing from one port to another of the dominion of his said Majesty, or in going to or from the same, from or to any part of the world whatever.

ARTICLE V.

There shall be granted a full, perfect and entire liberty of conscience to the inhabitants and subjects of each party, and no person shall be molested on account of his worship, provided he submits so far as regards the public demonstration of it to the laws of the country. Moreover, liberty shall be granted, when any of the subjects or inhabitants of either party die in the territory of the other, to bury them in convenient and decent

d'autres ni de plus grands droits ou impôts, de quelque nature qu'ils puissent être et quelque nom qu'ils puissent avoir, que ceux que les nations les plus favorisées sont ou seront obligées de payer; et ils jouiront de tous les droits, libertés, privilèges, immunités et exemptions en fait de commerce, navigation et commerce dont jouissent ou jouiront les dites nations, soit passant d'un port à un autre de la domination de sa dite Majesté, soit en y allant ou en revenant de quelque partie du monde ou pour quelque partie du monde que ce soit.

ARTICLE V.

Il sera accordé une pleine parfaite et entière liberté de conscience aux habitants et sujets de chaque partie, personne ne sera molestée à l'égard de son culte, moyennant qu'il se soumette quant à la démonstration publique aux loix du pays. De plus on permettra aux habitans et sujets de chaque partie, qui décèdent dans le territoire de l'autre partie d'être enterrés dans les lieux et droits convenables et de ceux qui seront assignés

places, which shall be assigned for the purpose ; and the contracting parties will provide each in its jurisdiction, that the subjects and inhabitants respectively may obtain certificates of the same, in case the delivery of them is required.

ARTICLE VI.

The subjects of the contracting parties in the respective states, may freely dispose of their goods and effects either by testament, donation or otherwise in favour of such persons as they think proper ; and their heirs in whatever place they shall reside, shall receive the succession even *ab intestato*, either in person or by their attorney, without having occasion to take out letters of naturalization. These inheritances, as well as the capitals and effects, which the subjects of the two parties, in changing their abode, shall be desirous of removing from the place of their abode, shall be exempted from all duty called "*droit de détraction,*" on the part of the government of the two states respectively. But it is at the same time agreed, that nothing contained in

cet effet, et les deux puissances contractantes pourvoient chacune dans sa jurisdiction, à ce que les sujets et habitans respectifs puissent obtenir les certificats de même en cas qu'il soit requis de les livrer.

ARTICLE VI.

Les sujets des parties contractantes pourront dans les états respectifs disposer librement de leurs fonds et biens, soit par testament, donation ou autrement en faveur de telles personnes que bon leur semblera, et leurs héritiers dans quelque endroit où ils demeureront, pourront recevoir ces successions, même *ab intestato*, soit en personne, soit par un procureur, sans qu'ils aient besoin d'obtenir des lettres de naturalisation. Ces héritages, aussi bien que les capitaux et fonds que les sujets des deux parties, en changeant de demeure, voudront faire sortir de l'endroit de leur domicile, seront exempts de tout droit de détraction, de la part du gouvernement des deux états respectifs. Mais il est convenu en même tems, que le contenu de cet article ne dérogera en au-

this article shall in any manner derogate from the ordinances published in Sweden against emigrations, or which may hereafter be published, which shall remain in full force and vigour. The United States on their part, or any of them, shall be at liberty to make respecting this matter, such laws as they think proper.

ARTICLE VII.

All and every the subjects and inhabitants of the kingdom of Sweden, as well as those of the United States, shall be permitted to navigate with their vessels in all safety and freedom, and without any regard to those to whom the merchandizes and cargoes may belong, from any port whatever; and the subjects and inhabitants of the two states shall likewise be permitted to sail and trade with their vessels, and with the same liberty and safety to frequent the places, ports and havens of powers, enemies to both or either of the contracting parties, without being in any wise molested or troubled, and to carry on a commerce not only directly from the ports of an enemy to a neutral

cune manière aux ordonnances promulguées en Suède contre les émigrations, qui pourront par la suite être promulguées, les quelles demeureront dans toute la force et vigueur. Les États Unis de leur côté ou aucun d'entre eux feront libres de statuer sur cette matière telle loi qu'ils jugeront à propos.

ARTICLE VII.

Il sera permis à tous et à chacun des sujets et habitans du Royaume de Suède, ainsi qu'à ceux des États Unis de naviguer avec leurs bâtimens en toute sûreté et liberté, et sans distinction de ceux à qui les marchandises et leurs chargemens appartiendront, de quelque port que ce soit. Il sera permis également aux sujets et habitans des deux États de naviguer et de négocier avec leurs vaisseaux et marchandises et de fréquenter avec la même liberté et sûreté, les places, ports et havres de puissances ennemies des deux parties contractantes, ou d'une d'elles, sans être aucunement inquiétés ni troubles, et de faire le commerce non seulement directement dès ports de l'ennemi

rt, but even from one
 rt of an enemy to another
 rt of an enemy, whether
 be under the jurisdiction
 the same or of different
 nces. And as it is ac-
 knowledged by this treaty,
 h respect to ships and
 merchandizes, that free ships
 ll make the merchan-
 des free, and that every
 ng which shall be on
 rd of ships belonging to
 jects of the one or the
 er of the contracting par-
 y, shall be considered as
 e, even though the cargo
 a part of it should belong
 the enemies of one or
 h; it is nevertheless pro-
 ed, that contraband goods
 ll always be excepted;
 ich being intercepted,
 ll be proceeded against
 ording to the spirit of
 following articles. It
 likewise agreed, that the
 e liberty be extended to
 sons who may be on
 rd a free ship, with this
 ct, that although they be
 mies to both or either of
 parties, they shall not be
 en out of the free ship,
 ess they are soldiers in
 actual service of the said
 emies.

à un port neutre, mais en-
 core d'un port ennemi à un
 autre port ennemi; soit
 qu'il se trouve sous la jurif-
 diction d'un même ou de
 différents princes. Et comme
 il est reçu par le présent traité
 parrapport aux navires et aux
 marchandises, que les vais-
 seaux libres rendront les mar-
 chandises libres, et que l'on
 regardera comme libre tout ce
 qui sera à bord des navires
 appartenants aux sujets d'une
 ou de l'autre des parties con-
 tractantes, quand même le
 chargement ou partie d'ice-
 lui appartiendroit aux enne-
 mis de l'un des deux; bien
 entendu néanmoins que les
 marchandises de contreban-
 de seront toujours exceptées,
 les quelles étant interceptées,
 il sera procédé conforme-
 ment à l'esprit des articles
 suivants. Il est également
 convenu que cette même li-
 berté s'étendra aux person-
 nes qui naviguent sur un
 vaisseau libre; de maniere
 que quoi qu'elles soient en-
 nemies des deux parties ou
 de l'une d'elles, elles ne fe-
 rent point tirées du vaisseau
 libre, si ce n'est que ce fus-
 sent des gens de guerre actu-
 ellement au service des dits
 ennemis.

ARTICLE VIII.

This liberty of navigation and commerce shall extend to all kinds of merchandizes, except those only which are expressed in the following article, and are distinguished by the name of contraband goods.

ARTICLE IX.

Under the name of contraband or prohibited goods shall be comprehended arms, great guns, cannon balls, arquebuses, muskets, mortars, bombs, petards, granadoes, faucilles, pitch balls, carriages for ordnance, musket rests, bandoleers, cannon powder, matches, saltpetre, sulphur, bullets, pikes, sabres, swords, morions, helmets, cuirasses, halberds, javelins, pistols and their holsters, belts, bayonets, horses with their harness, and all other like kinds of arms and instruments of war for the use of troops.

ARTICLE X.

These which follow shall not be reckoned in the number of prohibited goods—that is to say: All sorts of cloths, and all other manufactures of wool, flax, silk,

ARTICLE VIII.

Cette liberté de navigation et de commerce s'étendra à toutes sortes de marchandises, à la réserve seulement de celles qui sont primées dans l'article suivant et désignées sous le nom de marchandises de contrebande.

ARTICLE IX.

On comprendra sous nom de marchandises contrebande ou défendues les armes, canons, boules, arquebuses, mousquets, mortiers, bombes, petards, grenades, faucilles, cercles percés, affûts, fourchettes, bandoulières, poudre à canon, mèches, salpêtre, soufre, balles, piques, sabres, épées, morions, casques, cuirasses, halbardes, javelines, pistolets et leurs fourreaux, baudriers, bayonettes, chevaux avec leurs harnois, et tous autres semblables genres d'armes et d'instruments de guerre servant à l'usage des troupes.

ARTICLE X.

On ne mettra point au nombre des marchandises défendues celles qui suivent, savoir, toutes sortes de draps et tous autres ouvrages manufactures de laine,

otton or any other mate-
 als, all kinds of wearing
 parel, together with the
 ings of which they are
 mmonly made, gold, fil-
 rcoined or uncoined, brafs,
 on, lead, copper, latten,
 als, wheat, barley, and all
 ts of corn or pulfe, to-
 cco, all kinds of fpices,
 ted and smoked flefh, falt-
 e fifh, cheefe, butter, beer,
 , wines, fugar, all forts of
 t and provifions which
 ve for the nourifhment
 d fufenance of man, all
 nds of cotton, hemp, flax,
 , pitch, ropes, cables,
 ls, fail-cloth, anchors, and
 y parts of anchors, fhip-
 ults, planks, boards, beams,
 d all forts of trees and
 ner things proper for
 ilding or repairing fhips ;
 r fhall any goods be con-
 ered as contraband, which
 ve not been worked into
 e form of any instrument
 thing for the purpofe of
 r by land or by fea, much
 s fuch as have been pre-
 red or wrought up for
 y other ufe: all which
 ll be reckoned free goods,
 alikewise all others which
 e not comprehended and
 rticularly mentioned in
 e foregoing article ; fo
 at they fhall not by any

lin, de foye, de cotton et de
 toute autre matière, tout
 genre d'habillement avec les
 chofes qui fervent ordinair-
 ement, à les faire ; Or, ar-
 gent monnoyé ou non mon-
 noyé, etain, fer, plomb, cui-
 vre, laiton, charbon à four-
 neau, bled, orge, et toute
 autre forte de grains et de
 légumes, la nicotiane, vul-
 gairement appellée tabac,
 toutes fortes d'aromates,
 chaires falées et fumées, poif-
 fons falés, fromage et beur-
 re, bierre, huile, vins, fucres,
 toutes fortes de fels et de
 provifions fervant à la nour-
 riture et à la fubfiftance des
 hommes ; tous genres de
 coton, chanvre, lin, poix,
 tant liquide que fèche, cor-
 dages, cables, voiles, toiles,
 propres à faire des voiles,
 ancrs et parties d'ancres
 quelles qu'elles puiſſent être,
 mats de navire, planches,
 madriers, poutres et toute
 forte d'arbres, et toutes au-
 tres chofes néceſſaires pour
 conftruire ou pour radouber
 les vaiſſeaux. On ne re-
 gardera pas non plus com-
 me marchandifes de contre-
 bande, celles qui n'auront
 pas pris la forme de quelque
 instrument ou attirail, fer-
 vant à l'ufage de la guerre
 fur terre ou fur mer ; encore

pretended interpretation be comprehended among prohibited or contraband goods; on the contrary, they may be freely transported by the subjects of the King and of the United States, even to places belonging to an enemy, such places only excepted as are besieged, blocked or invested, and those places only shall be considered as such, which are nearly surrounded by one of the belligerent powers.

moins celles qui sont préparées ou travaillées pour toute autre usage. Toutes choses seront censées marchandises libres, de même que toutes celles qui ne sont point comprises et spécialement designées dans l'article précédent, de sorte qu'elles ne pourront sous aucune interprétation prétendue être comprises sous les effets prohibés, ou de contrebande ; au contraire elles pourront être librement transportées par les sujets du Roi et des Etats Unis, même dans les lieux ennemis, excepté seulement dans les places assiégées, bloquées, investies, et pour telles, sont tenues uniquement les places entourées de près par quelque une des puissances belligérantes.

ARTICLE XI.

In order to avoid and prevent on both sides all disputes and discord, it is agreed, that in case one of the parties shall be engaged in a war, the ships and vessels belonging to the subjects or inhabitants of the other shall be furnished with sea-letters or passports, expressing the name, property and port of the vessel, and also the name

ARTICLE XI.

Afin d'écarter et de prévenir de part et d'autre toutes sortes de discussions et de discorde, il a été convenu que dans le cas où l'une ou l'autre des deux parties se trouveroit engagée dans une guerre, les vaisseaux et bâtimens appartenants aux sujets ou habitans de l'autre devront être munis de lettres de mer ou de passeports, exprimant le nom

place of abode of the master or commander of the said vessel, in order that it may thereby appear that the said vessel really and truly belongs to the subjects of one or the other party. These passports, which shall be drawn up in good and due form, shall be renewed every time the vessel returns home in the course of a year. It is also agreed, that the said vessels when loaded shall be provided not only with sea-letters, but also with certificates containing a particular account of the cargo, the place from which the vessel sailed, and that of her destination, in order that it may be known whether they carry any of the prohibited or contraband merchandizes, mentioned in the 9th article of the present treaty; which certificates shall be made out by the officers of the place from which the vessel shall depart.

ARTICLE XII.

Although the vessels of one and of the other party may navigate freely and with all safety, as is explained in the 7th article,

la propriété et le port du navire, ainsi que le nom et la demeure du maître ou commandant du dit vaisseau afin qu'il apparaisse par-la que le dit vaisseau appartient réellement et véritablement aux sujets de l'une ou de l'autre partie. Ces passeports qui seront dressés et expédiés en due et bonne forme, devront également être renouvelés toutes les fois que le vaisseau revient chez lui dans le cours de l'an. Il est encore convenu que ces dits vaisseaux chargés devront être pourvus non seulement de lettres de mer, mais aussi de certificats contenant les détails de la cargaison, le lieu d'où le vaisseau est parti et celui de sa destination, afin que l'on puisse connoître s'ils ne portent aucune des marchandises défendues ou de contrebande spécifiées dans l'article 9. du présent traité, lesquels certificats seront également expédiés par les officiers du lieu d'où le vaisseau sortira.

ARTICLE XII.

Quoique les vaisseaux de l'une et de l'autre partie pourront naviguer librement et avec toute sûreté comme il est expliqué à l'ar-

they shall nevertheless be bound at all times when required, to exhibit as well on the high sea as in port, their passports and certificates abovementioned. And not having contraband merchandize on board for an enemy's port, they may freely and without hindrance pursue their voyage to the place of their destination. Nevertheless, the exhibition of papers shall not be demanded of merchant ships under the convoy of vessels of war, but credit shall be given to the word of the officer commanding the convoy.

ARTICLE XIII.

If on producing the said certificates, it be discovered that the vessel carries some of the goods which are declared to be prohibited or contraband, and which are consigned to an enemy's port, it shall not however be lawful to break up the hatches of such ships, nor to open any chest, coffers, packs, casks or vessels, nor to remove or displace the smallest part of the merchandizes, until the cargo has been landed in the pre-

ticie 7. ils seront néanmoins tenus toutes les fois qu' l'exigera d'exhiber tant pleine mer que dans ports, leurs passeports, certificats cy-dessus mentionnés. Et n'ayant pas charges de marchandises de contrabande pour un port ennemi ils pourront librement et sans empêchement poursuivre leur voyage vers le lieu de leur destination. Cependant on n'aura point le droit de demander l'exhibition des papiers aux navires marchands convoyés par les vaisseaux de guerre; mais ajoutera foi à la parole de l'officier commandant le convoy.

ARTICLE XIII.

Si en produisant les dits certificats il fût découvert que le navire porte quelque uns de ces effets qui sont déclarés prohibés ou de contrebande, et qui sont consignés pour un port ennemi, ne sera cependant pas permis de rompre les écoutes des dits navires, ni d'ouvrir aucune caisse, coffre, malles, ballot et tonneau, ou d'en déplacer ni d'en détourner la moindre partie des marchandises, jusqu'à ce que la cargaison ait été mise à terre.

ce of officers appointed
 the purpose, and until
 inventory thereof has
 n taken; nor shall it be
 ful to sell, exchange or
 nate the cargo or any
 t thereof, until legal pro-
 s shall have been had a-
 nst the prohibited mer-
 ndizes, and sentence shall
 e passed declaring them
 le to confiscation, saving
 ertheless as well the ships
 mselves as the other mer-
 ndizes which shall have
 n found therein, which by
 ue of this present treaty
 to be esteemed free, and
 ich are not to be detain-
 on pretence of their hav-
 been loaded with pro-
 ited merchandize, and
 ch less confiscated as law-
 prize. And in case the
 utrabad merchandize be
 y a part of the cargo, and
 master of the vessel a-
 es, consents and offers to
 iver them to the vessel
 t has discovered them, in
 t case the latter, after re-
 ving the merchandizes
 ich are good prize, shall
 mediately let the vessel go,
 d shall not by any means
 nder her from pursuing
 r voyage to the place of
 r destination. When a
 vessel is taken and brought

présence des officiers prépo-
 sés à cet effet, et que l'in-
 ventaire en ait été fait. En-
 core ne fera-t-il pas permis
 de vendre, échanger ou ali-
 éner la cargaison ou quel-
 que partie d'icelle, avant
 qu' on aura procédé légale-
 ment au sujet des marchan-
 dises prohibées et qu'elles
 auront été déclarées confis-
 cables par sentence; à la re-
 serve néanmoins, tant des
 navires même que des autres
 marchandises qui y auront
 été trouvées et qui en vertu
 du présent traité doivent être
 censées libres; lesquelles ne
 peuvent être retenues sous
 prétexte qu'elles ont été
 chargées avec des marchan-
 dises défendues, et encore
 moins être confiscuées com-
 me une prise légitime. Et
 supposé que les dites marchan-
 dises de contrebande, ne fai-
 sant qu'une partie de la
 charge, le patron du navire
 agréât, consentît et offrît de
 les livrer au vaisseau qui les
 aura découvertes; en ce cas,
 celui-cy, après avoir reçu les
 marchandises, de bonne prise,
 sera tenu de laisser aller au-
 sitôt le bâtiment, et ne l'em-
 pêchera en aucune manière
 de poursuivre sa route vers
 le lieu de sa destination.
 Tout navire pris et amené

into any of the ports of the contracting parties, if upon examination she be found to be loaded only with merchandizes declared to be free, the owner or he who has made the prize, shall be bound to pay all costs and damages to the master of the vessel unjustly detained.

ARTICLE XIV.

It is likewise agreed, that whatever shall be found to be laden by the subjects of either of the two contracting parties, on a ship belonging to the enemies of the other party, the whole effects, although not of the number of those declared contraband, shall be confiscated as if they belonged to the enemy, excepting nevertheless such goods and merchandizes as were put on board before the declaration of war, and even six months after the declaration, after which term none shall be presumed to be ignorant of it, which merchandizes shall not in any manner be subject to confiscation, but shall be faithfully and specifically delivered to the owners, who shall claim or cause them to be claimed before confisca-

dans un des ports des parties contractantes, sous prétexte de contrebande, qui trouve par la visite fa n'être chargé que de marchandises déclarées libres, l'armateur ou celui qui a fait la prise, sera tenu de payer tous les fraix et dommages au patron du navire tenu injustement.

ARTICLE XIV.

On est également convenu que tout ce qui se trouve chargé par les sujets d'une des deux parties dans un vaisseau appartenant aux ennemis de l'autre partie, si ce vaisseau est saisi et confisqué en entier, que ces effets ne soient que ceux qui sont au nombre de ceux déclarés de contrebande, comme si ces effets appartenent à l'ennemi même ; l'exception néanmoins des effets et marchandises qui ont été chargés sur les vaisseaux ennemis avant la déclaration de guerre, même six mois après la déclaration, après lequel terme l'on ne sera pas censé d'avoir pu l'ignorer ; les quelles marchandises ne seront point sujettes à confiscation, mais seront restituées en nature fidèlement aux propriétaires qui les réclameront.

and sale, as also their
ceeds, if the claim be
e within eight months,
could not be made soon-
ter the sale, which is to
ublic : provided never-
efs, that if the said mer-
dizes be contraband, it
not be in any wise law-
o carry them afterwards
port belonging to the
ny.

ARTICLE XV.

nd that more effectual
may be taken for the se-
y of the two contracting
es, that they suffer no
dice by the men of war
e other party or by pri-
rs, all captains and com-
ers of ships of his Swe-
Majesty and of the Uni-
tates, and all their sub-
shall be forbidden to
y injury or damage to
of the other party, and
y act to the contrary,
g been found guilty on
ination by their proper
s, they shall be bound
ke satisfaction for all
ges and the interest
of, and to make them
under pain and obliga-
of their persons and

cront ou feront réclamer
avant la confiscation et vente;
comme aussi leur provenu, si
la réclamation ne pouvoit se
faire que dans l'intervalle de
huit mois après la vente, la-
quelle doit être publique ;
bien entendu néanmoins,
que si les dites marchandises
sont de contrebande, il ne fe-
ra nullement permis de les
transporter ensuite à aucun
port appartenant aux enne-
mis.

ARTICLE XV.

Et à fin de pourvoir plus
efficacement à la sûreté des
deux parties contractantes,
pour qu'il ne leur soit fait
aucun préjudice par les vais-
seaux de guerre de l'autre
partie ou par des armateurs
particuliers, il sera fait dé-
fense à tous les capitaines et
commandants de vaisseaux
de sa Majesté Suedoise et des
Etats Unis, et tous leurs su-
jets de faire aucun dommage
ou insulte à ceux de l'autre
partie ; et au cas qu'ils y
contreviennent, ayant été
trouvés coupables, après
l'examen fait par leurs pro-
pres jugés, ils seront tenus
de donner satisfaction de
tout dommage et intérêt ; et
de les bonifier sous peine et
obligation de leurs person-
nes et biens.

ARTICLE XVI.

For this cause, every individual who is desirous of fitting out a privateer, shall before he receives letters patent, or special commission, be obliged to give bond with sufficient sureties, before a competent judge, for a sufficient sum to answer all damages and wrongs which the owner of the privateer, his officers or others in his employ may commit during the cruise, contrary to the tenor of this treaty, and contrary to the edicts published by either party, whether by the King of Sweden or by the United States, in virtue of this same treaty, and also under the penalty of having the said letters patent and special commission revoked and made void.

ARTICLE XVII.

One of the contracting parties being at war and the other remaining neuter, if it should happen that a merchant ship of the neutral power be taken by the enemy of the other party, and be afterwards retaken by a ship of war or privateer of the power at war, also ships and merchandizes of what

ARTICLE XVI.

Pour cette cause chaque particulier, voulant armer en course sera obligé, avant que de recevoir les lettres patentes ou ses commissions spéciales de donner par devant un juge compétent, caution de personnes solvables, chaqu'un pour une somme suffisante, afin de répondre de tous les dommages et torts que l'armateur, ses officiers, ou autres employés en leur service, pourroient commettre en leurs courses, contrairement du présent traité contre les édits faits de l'un et d'autre en vertu du même traité par le Roi de Suède et par les Etats Unis, sous peine de révocation et cassation des dites lettres patentes et commissions spéciales.

ARTICLE XVII.

Une des parties contractantes étant en guerre et l'autre restant neutre, s'il arrivoit qu'un navire marchand de la puissance neutre fût pris par l'ennemi de l'autre partie, et repris ensuite par un vaisseau ou par un armateur de la puissance en guerre; de même que les navires et marchandises de

are soever they may be, when recovered from a pirate or sea rover, shall be brought into a port of one of the two powers, and shall be committed to the custody of the officers of the said port, that they may be redelivered entire to the true proprietor as soon as he shall produce full proof of his property. Merchants, masters and owners of ships, persons, people of all sorts, houses and vessels, and in general all merchandizes and effects of one of the allies or their subjects, shall not be subjected to any embargo, nor detained in any of the countries, territories, islands, cities, towns, ports, rivers or domains whatever, of the other ally, on account of any military expedition, or public or private purpose whatever, by seizure, force, or by any such manner; much less shall it be lawful for the subjects of one of the parties to seize or take any thing by force, from the subjects of the other party, without the consent of the owner. This never is not to be understood to comprehend seizures, detentions and arrests, made by order and

quelle nature qu'elles puissent être lors qu'elles auront été enlevées des mains de quelque pirate ou écumeur de mer, elles seront emmenées dans quelque port de l'un des deux États, et seront remises à la garde des officiers du dit port, afin d'être rendus en entier à leur véritable propriétaire, aussitôt qu'il aura produit des preuves suffisantes de la propriété. Les marchands patrons et propriétaires des navires, matelots, gens de toute sorte, vaisseaux et bâtimens et en général aucunes marchandises ni aucuns effets de chacun des allies ou de leurs sujets, ne pourront être assujettis à aucun embargo, ni retenus dans aucun des pays, territoires, îles, villes, places, ports, rivages ou domaines quelconques de l'autre allié, pour quelque expedition militaire, usage public ou particulier de qui que ce soit, par saisie, par force ou de quelque manière semblable. D'autant moins sera-t-il permis aux sujets de chacune des parties de prendre, ou enlever par force, quelque chose aux sujets de l'autre partie, sans le consentement du propriétaire; ce qui néanmoins, ne doit

by the authority of justice, and according to the ordinary course for debts or faults of the subject, for which process shall be had in the way of right according to the forms of justice.

pas s'entendre des saisies, cessions et arrêts qui se font par ordre et autorité de justice et selon les voyes ordinaires pour dettes ou delict au sujet desquels il devoit être procédé par voye de droit selon les formes de justice.

ARTICLE XVIII.

If it should happen that the two contracting parties should be engaged in a war at the same time with a common enemy, the following points shall be observed on both sides.

1st. If the ships of one of the two nations, re-taken by the privateers of the other, have not been in the power of the enemy more than twenty-four hours, they shall be restored to the original owner, on payment of one third of the value of the ship and cargo. If on the contrary, the vessel re-taken has been more than twenty-four hours in the power of the enemy, it shall belong wholly to him who has retaken it.

2d. In case, during the interval of twenty-four hours, a vessel be retaken by a man of war of either of the two parties, it shall be restored

ARTICLE XVIII.

S'il arrivoit que les deux parties contractantes fussent en même tems en guerre contre un ennemi commun on observera de part et d'autre les points suivans.

1. Si les bâtimens d'une des deux nations pris par les armateurs de l'autre n'ont pas été au pouvoir de l'ennemi, au delà de vingt-quatre heures, ils seront restitués au premier propriétaire, moyennant le paiement du tiers de la valeur du bâtiment et de celle de la cargaison. Si au contraire un vaisseau repris a été plus de vingt-quatre heures au pouvoir de l'ennemi, il appartiendra en entier à celui qui l'aura repris.

2. Dans les cas que dans l'intervalle de vingt-quatre heures un navire est repris par un vaisseau de guerre d'une des deux parties, il

the original owner, on payment of a thirtieth part the value of the vessel and cargo, and a tenth part if it has been retaken after the twenty-four hours, which prizes shall be distributed as gratification among the crew of the men of war that shall have made the recapture.

3d. The prizes made in manner above-mentioned, shall be restored to the owners, after proof made of the property, upon giving security for the part coming to him who has recovered the vessel from the hands of the enemy.

4th. The men of war and privateers of the two nations shall reciprocally be admitted with their prizes into the others ports; but the prizes shall not be unloaded or sold there until the legality of a prize made by Swedish ships shall have been determined according to the laws and regulations established in Sweden, as also of the prizes made by American vessels shall have been determined according to the laws and regulations established by the United States of America.

ra rendu au premier propriétaire, moyennant qu'il paye un trentieme de la valeur du navire et de sa cargaison, et le dixieme, s'il a été repris après les vingt-quatre heures, les quelles sommes seront distribuées en guise de gratification aux équipages des vaisseaux qui l'aurent repris.

3. Les prises faites de la manière susdite seront restituées aux propriétaires, après les preuves faites de la propriété, en donnant caution pour la part qui en revient à celui qui a tiré le navire des mains de l'ennemi.

4. Les vaisseaux de guerre et armateurs des deux nations seront réciproquement admis avec leurs prises, dans les ports respectifs de chacune, mais ces prises ne pourront y être déchargées ni vendues qu'après que la légitimité de la prise faite par des bâtimens Suédois aura été décidée selon les loix et réglemens établis en Suede; tout comme celle des prises faites par des bâtimens Américains, sera jugée selon les loix et réglemens déterminés par les Etats Unis de l'Amérique.

5th. Moreover, the King of Sweden and the United States of America shall be at liberty to make such regulations as they shall judge necessary respecting the conduct which their men of war and privateers respectively shall be bound to observe, with regard to vessels which they shall take and carry into the ports of the two powers.

ARTICLE XIX.

The ships of war of His Swedish Majesty and those of the United States, and also those which their subjects shall have armed for war, may with all freedom conduct the prizes which they shall have made from their enemies into the ports which are open in time of war to other friendly nations; and the said prizes upon entering the said ports shall not be subject to arrest or seizure, nor shall the officers of the places take cognizance of the validity of the said prizes, which may depart and be conducted freely and with all liberty to the places pointed out in their commissions, which the captains of the said vessels shall be obliged to shew.

5. Au surplus il sera libre au Roi de Suede, ainsi qu'aux États Unis de l'Amérique, de faire tels réglemens qu'ils jugeront necessaires relativement à la conduite que devront tenir leurs vaisseaux et armateurs respectifs à l'égard des bâtimens qu'ils auront pris et conduits dans les ports des deux puissances.

ARTICLE XIX.

Les vaisseaux de guerre de sa Majesté Suedoise et ceux des États Unis, de même que ceux que leurs sujets auront armés en guerre pourront en toute liberté conduire les prises qu'ils auront faites sur leurs ennemis dans les ports ouverts en tems de guerre aux autres nations amies, sans que ces prises, entrant dans lesdits ports, puissent être arrêtées ou saisies, ni que les officiers des lieux puissent prendre connoissance de la validité de dites prises, lesquelles pourront sortir et être conduites franchement et en toute liberté aux lieux portés par les commissions dont les capitaines desdits vaisseaux seront obligés de faire montre.

ARTICLE XX.

In case any vessel belonging to either of the two states, or to their subjects, shall be stranded, shipwrecked, or suffer any other damage on the coasts or under the dominion of either of the parties, all aid and assistance shall be given to the persons shipwrecked, or who may be in danger thereof, and passports shall be granted to them to secure their return to their own country. The ships and merchandizes wrecked, or their proceeds, if the effects have been sold, being claimed in a year and a day, by the owners or their attorney, shall be restored, on their paying the costs of salvage, conformable to the laws and customs of the two nations.

ARTICLE XXI.

When the subjects and inhabitants of the two parties, with their vessels, whether they be public and equipped for war, or private or employed in commerce, shall be forced by tempest, or by pursuit of privateers and their enemies, or by any other urgent necessity, to retire and enter any of the rivers, bays, roads or ports or either

ARTICLE XX.

Au cas que quelque vaisseau appartenant à l'un des deux états, ou à leurs sujets aura échoué, fait naufrage ou souffert quelque autre dommage sur les côtes ou sous la domination de l'une des deux parties, il sera donné toute aide et assistance aux personnes naufragées ou qui se trouvent en danger, et il leur sera accordé des passeports pour assurer leur retour dans leur patrie. Les navires et marchandises naufragées ou leur provenu, si ces effets eussent été vendus, étant réclamés dans l'an et jour par les propriétaires, ou leur ayant cause, seront restitués, en payant les fraix du sauvement, conformément aux loix et coutumes des deux nations.

ARTICLE XXI.

Lorsque les sujets et habitants de l'une des deux parties avec leurs vaisseaux soit publics, soit équipés en guerre, soit particuliers, ou employés au commerce, seront forcés par une tempête, par la poursuite des corsaires et des ennemis, ou par quelque autre nécessité urgente, de se retirer et d'entrer dans quelque une des rivières,

of the two parties, they shall be received and treated with all humanity and politeness, and they shall enjoy all friendship, protection and assistance, and they shall be at liberty to supply themselves with refreshments, provisions and every thing necessary for their sustenance, for the repair of their vessels, and for continuing their voyage; provided always that they pay a reasonable price: and they shall not in any manner be detained or hindered from sailing out of the said ports or roads, but they may retire and depart when and as they please without any obstacle or hindrance.

ARTICLE XXII.

In order to favour commerce on both sides as much as possible, it is agreed, that in case a war should break out between the said two nations, which God forbid, the term of nine months after the declaration of war, shall be allowed to the merchants and subjects respectively on one side and the other, in order that they may withdraw with their effects and moveables, which they shall be at liberty to carry

bayes, rades ou ports, d'une des deux parties, ils seront reçus et traités avec humanité et honnêteté, et jouiront de toute amitié, protection et assistance, et leur sera permis de se pourvoir de rafraichissemens, de vivres et de toute chose nécessaire pour leur subsistance, pour la reparation de leurs vaisseaux et pour continuer leur voyage, le tout moyennant un prix raisonnable, et ils ne seront retenus en aucune manière, ni empêchés de sortir des dits ports ou rades, mais pourront se retirer et partir quand et comme il leur plaira, sans aucune obstacle ni empêchement.

ARTICLE XXII.

Afin de favoriser d'autant plus le commerce des deux côtés, il est convenu que dans le cas où la guerre surviendrait entre les deux nations susdites, ce qu'à Dieu ne plaise, il sera accordé un tems de neuf mois après la déclaration de guerre, aux marchands et sujets respectifs de part et d'autre, pour pouvoir se retirer avec leurs effets et meubles, lesquels, ils pourront transporter, ou faire vendre où ils voudront,

or to sell where they
 safe, without the least ob-
 cle; nor shall any seize
 their effects, and much less
 their persons, during the
 nine months; but on
 contrary, passports which
 shall be valid for a time ne-
 cessary for their return, shall
 be given them for their ves-
 sels, and the effects which
 they shall be willing to car-
 ry with them. And if any
 thing is taken from them,
 or if any injury is done to
 them by one of the parties,
 for their people and subjects,
 during the term above pre-
 scribed, full and entire satis-
 faction shall be made to
 them on that account. The
 above mentioned passports
 shall also serve as a safe con-
 duct against all insults or
 injuries which privateers may
 attempt against their persons
 and effects.

fans qu'on y mette le moins
 d'obstacle, ni qu'on puisse
 se arrêter les effets, et en-
 core moins les personnes
 pendant les dits neuf mois;
 mais qu'au contraire on leur
 donnera, pour leurs vais-
 seaux et effets qu'ils vou-
 dront prendre avec eux, des
 passeports valables pour le
 tems qui sera nécessaire pour
 leur retour; mais s'il leur
 est enlevé quelque chose, ou
 s'il leur a été fait quelque
 injure, durant le terme pres-
 crit cy-dessus par l'une des
 parties, leurs peuples et su-
 jets, il leur sera donné à cet
 égard pleine et entière sa-
 tisfaction. Ces passeports
 susmentionnés serviront é-
 galement de sauveconduits
 contre toutes insultes ou
 prises que les armateurs pour-
 ront tenter de faire con-
 tre leurs personnes et leurs
 effets.

ARTICLE XXIII.

No subject of the King of
 Sweden shall take a commis-
 sion or letters of marque for
 arming any vessel to act as a
 privateer against the United
 States of America, or any
 of them, or against the sub-
 jects, people or inhabitants
 of the said United States, or
 any of them, or against the

ARTICLE XXIII.

Aucun sujet du Roi de
 Suede ne prendra de com-
 mission ou lettre de marque
 pour armer quelque vaisseau,
 à fin d'agir comme corsaire
 contre les Etats Unis de
 l'Amérique ou quelques uns
 d'entre eux, ou contre les
 sujets, peuples, ou habitans
 d'iceux, ou contre la pro-

property of the inhabitants of the said States, from any prince or state whatever, with whom the said United States shall be at war. Nor shall any citizen, subject or inhabitant of the said United States, or any of them, apply for or take any commission or letters of marque for arming any vessel to cruize against the subjects of His Swedish Majesty, or any of them, or their property, from any prince or state whatever with whom His said Majesty shall be at war. And if any person of either nation shall take such commissions or letters of marque, he shall be punished as a pirate.

ARTICLE XXIV.

The vessels of the subjects of either of the parties coming upon any of the coasts belonging to the other, but not willing to enter into port, or being entered into port and not willing to unload their cargoes or to break bulk, shall not be obliged to do it, but on the contrary shall enjoy all the franchises and exemptions which are granted by the rules subsisting with respect to that object.

priété des habitans de Etats, de quelque prince état que ce soit, avec lesquels dits Etats Unis seront en guerre. De même, aucun citoyen, sujet ou habitant des dits Etats Unis, et aucun d'entre eux, demandera ni n'acceptera aucune commission ou lettres de marque, afin d'armer quelque vaisseau pour courre sur les sujets de sa Majesté Suedoise ou quelque d'entre eux ou leur propriété de quelque prince ou état que ce soit avec qui sa Majesté se trouvera en guerre. Et si quelqu'un d'une ou de l'autre nation prenoit de pareilles commissions ou lettres de marque il sera puni comme pirate

ARTICLE XXIV.

Les vaisseaux des sujets ou habitans d'une des parties, abordant à quelque côte de la dépendance de l'autre, mais n'ayant point de dessein d'entrer au port, y étant entré, ne desireront pas de décharger leur cargaison ou rompre leur charge, n'y feront point obligés, mais au contraire jouiront de toutes les franchises et exemptions accordées par les réglemens qui subsistent relativement à cet objet.

ARTICLE XXV.

When a vessel belonging to the subjects and inhabitants of either of the parties, sailing on the high sea, shall be met by a ship of war or privateer of the other, the said ship of war or privateer, to avoid all disorder, shall remain out of cannon shot, and it may always send their boats to the merchant ship, and cause two or three men to go on board of her, to whom the master or commander of the said vessel shall exhibit his passport, stating the property of the vessel; and when the said vessel shall have exhibited her passport, she shall be at liberty to continue her voyage, and it shall not be lawful to molest or search her in any manner, nor to give her chase or force her to quit her intended course.

ARTICLE XXV.

Lorsqu'un vaisseau appartenant aux sujets et habitans de l'une des deux parties, naviguant en pleine mer, sera rencontré par un vaisseau de guerre, ou armateur, de l'autre, le dit vaisseau de guerre ou armateur, pour éviter tout désordre, se tiendra hors de la portée du canon, mais pourra toutes fois envoyer sa chaloupe à bord du navire marchand et y faire entrer deux ou trois hommes auxquels le maître ou commandant du dit navire, montrera son passeport, qui constate la propriété du navire; et après que le dit bâtiment aura exhibé le passeport, il lui sera libre de continuer son voyage; et il ne sera pas permis de le molester ni de chercher en aucune manière à lui donner la chasse ou à le forcer de quitter la course qu'il s'étoit proposé.

ARTICLE XXVI.

The two contracting parties grant mutually the liberty of having each in the ports of the other, consuls, vice-consuls, agents and commissaries, whose functions shall be regulated by a particular agreement.

ARTICLE XXVI.

Les deux parties contractantes se sont accordé mutuellement la faculté de tenir dans leurs ports respectifs des consuls, vice-consuls, agents et commissaires, dont les fonctions seront réglées par une convention particulière.

ARTICLE XXVII.

The present treaty shall be ratified on both sides, and the ratifications shall be exchanged in the space of eight months, or sooner if possible, counting from the day of the signature.

In faith whereof, the respective Plenipotentiaries have signed the above articles, and have thereunto affixed their seals.

DONE at Paris, the third day of April, in the year of our Lord one thousand seven hundred and eighty-three.

GUSTAV PHILIP Comte de CREUTZ.
(L. S.)

Separate Article.

The King of Sweden and the United States of North America, agree that the present treaty shall have its full effect for the space of fifteen years, counting from the day of the ratification, and the two contracting parties reserve to themselves the liberty of renewing it at the end of that term.

DONE at Paris, the third of April, in the year of our Lord one thousand seven hundred and eighty-three.

GUSTAV PHILIP Comte de CREUTZ.
(L. S.)

ARTICLE XXVII.

Le présent traité sera ratifié de part et d'autre et les ratifications seront échangées dans l'espace de huit mois, ou plutôt, si faire peut; à compter du jour de la signature.

En foi de quoi les Plénipotentiaires respectifs ont signé les articles cy-dessus et y ont apposé le cachet de leurs armes.

FAIT à Paris le trois Avril, l'an de Grâce mil sept cent quatre-vingt-trois.

B. FRANKLIN
(L. S.)

Article Séparé.

Le Roi de Suede et les Etats Unis de l'Amérique Septentrionale sont convenus que le présent traité aura son plein effet pendant l'espace de quinze ans consécutifs à compter du jour de sa ratification; et les deux parties contractantes se réservent la faculté de le renouveler au bout de ce terme.

FAIT à Paris le trois Avril l'an de Grâce mil sept cent quatre-vingt-trois.

B. FRANKLIN
(L. S.)

Separate Articles.

ARTICLE I.

HIS Swedish Majesty shall use all the means in his power to protect and defend the vessels and effects belonging to the citizens or inhabitants of the United States of North America, and every of them, which shall be in the ports, havens, roads, or on the seas near the countries, islands, cities and towns of the said Majesty, and shall use his utmost endeavours to recover and restore to the right owners, all such vessels and effects which shall be taken from them within their jurisdiction.

ARTICLE II.

In like manner, the United States of North America shall protect and defend the vessels and effects belonging to the subjects of His Swedish Majesty, which shall be in the ports, havens or roads, or on the seas near to the countries, islands, cities and towns of the said States, and shall use their utmost efforts to recover and restore to the right owners, all such vessels and effects which shall be taken from them within their jurisdiction.

Articles Séparés.

ARTICLE I.

Sa Majesté Suedoise fera usage de tous les moyens qui sont dans son pouvoir pour protéger et défendre les vaisseaux et effets, appartenans aux citoyens ou habitans des Etats Unis de l'Amérique Septentrionale et à chacun d'iceux qui seront dans les ports, havres ou rades ou dans les mers près des pais, isles, contrées, villes et places de la dite Majesté, et fera tous ses efforts pour recouvrir et faire restituer aux propriétaires légitimes tous les vaisseaux et effets qui leur seront pris dans l'étendue de sa juridiction.

ARTICLE II.

De même les Etats Unis de l'Amérique Septentrionale protégeront et défendront les vaisseaux et effets, appartenans aux sujets de sa Majesté Suedoise qui seront dans les ports, havres ou rades, ou dans les mers près des pais, isles, contrées, villes et places des dits Etats, et feront tous leurs efforts pour recouvrir et faire restituer aux propriétaires légitimes, tous les vaisseaux et effets qui leur seront pris dans l'étendue de leur juridiction.

ARTICLE III.

If in any future war at sea, the contracting powers resolve to remain neuter, and as such, to observe the strictest neutrality, then it is agreed, that if the merchant ships of either party should happen to be in a part of the sea where the ships of war of the same nation are not stationed, or if they are met on the high sea, without being able to have recourse to their own convoys, in that case the commander of the ships of war of the other party, if required, shall in good faith and sincerity give them all necessary assistance; and in such case, the ships of war and frigates of either of the powers shall protect and support the merchant ships of the other; provided nevertheless, that the ships claiming assistance are not engaged in any illicit commerce contrary to the principles of the neutrality.

ARTICLE IV.

It is agreed and concluded that all merchants, captains of merchant ships or

ARTICLE III.

Si durant une guerre maritime à venir, les deux puissances contractantes prennent le parti de rester neutres et d'observer comme telles, la plus exacte neutralité, alors on est convenu que lorsqu'il arrivoit que les vaisseaux marchands de l'une des puissances, se trouvaient dans un lieu où les vaisseaux de guerre de la même nation n'étoient pas stationnés, ou bien s'ils se rencontrent sur la pleine mer sans pouvoir avoir recours à leurs propres convois, dans ce cas le commandant des vaisseaux de guerre de l'autre puissance, s'il en est requis, doit leur prêter les secours dont ils pourront avoir besoin, et dans tel cas les vaisseaux de guerre et frégates de l'une des puissances serviront de soutien et d'appui aux vaisseaux marchands de l'autre, bien entendu cependant, que ces derniers n'auroient fait aucun commerce illicite contraire aux principes de la neutralité.

ARTICLE IV.

Il est convenu et arrêté que tous les marchands, capitaines des navires marchan-

other subjects of His Swedish Majesty, shall have full liberty in all places under the dominion or jurisdiction of the United States of America, to manage their own affairs and to employ in the management of them whomsoever they please; and they shall not be obliged to make use of any interpreter or broker, nor to pay them any reward unless they make use of them. Moreover the masters of ships shall not be obliged, in loading or unloading their vessels to employ labourers appointed by public authority for that purpose; but they shall be at full liberty, themselves to load or unload their vessels and to employ in loading or unloading them whomsoever they think proper without paying reward under the title of salary to any other person whatever; and they shall not be obliged to turn over any kind of merchandise to other vessels nor to receive them on board their own nor to wait for their loading longer than they please, and all and every of the citizens, people and inhabitants of the United States of America shall reciprocally have and enjoy the same privileges

ou autres sujets de sa Majesté Suedoise, auront l'entière liberté dans toutes les places de la domination ou juridiction des Etats Unis de l'Amerique, de conduire eux-mêmes leurs propres affaires, et d'employer qui il leur plaira pour les conduire, et qu'ils ne seront point obligés de se servir d'aucun interprète ou courtier, ni leur payer aucun honoraire à moins qu'ils ne s'en servent. En outre, les maîtres des navires ne seront point obligés, chargeant ou déchargeant leurs navires, de se servir des ouvriers qui peuvent être établis pour cet effet par l'autorité publique; mais ils seront entièrement libres de charger ou de décharger eux-mêmes leurs vaisseaux et d'employer pour charger ou décharger ceux qu'ils croiront propres pour cet effet, sans payer aucuns honoraires à titre de salaire à aucune autre personne que ce soit, et ils ne pourront être forcés de verser aucune espèce de marchandises dans d'autres vaisseaux ou de les recevoir à leur bord et d'attendre pour être chargés, plus long-tems qu'il ne leur plaira, et tous et un chacun des citoyens, peuples et ha-

and liberties in all places under the jurisdiction of the said realm.

bitans des États Unis l'Amérique auront et jureront réciproquement mêmes privilèges et libertés dans toutes les places de juridiction du dit royaume.

ARTICLE V.

It is agreed that when merchandizes shall have been put on board the ships or vessels of either of the contracting parties they shall not be subjected to any examination; but all examination and search must be before lading, and the prohibited merchandizes must be stopped on the spot before they are embarked, unless there is full evidence or proof of fraudulent practice on the part of the owner of the ship or of him who has the command of her; in which case only he shall be responsible and subject to the laws of the country in which he may be. In all other cases, neither the subjects of either of the contracting parties who shall be with their vessels in the ports of the other, nor their merchandizes shall be seized or molested on account of contraband goods, which they shall have wanted to take on board, nor shall any kind of embargo be laid on

ARTICLE V.

Il est convenu que lorsqu'il y aura des marchandises chargées sur les vaisseaux ou bâtimens de l'une des deux parties contractantes, elles ne pourront plus être arrêtées ni visitées à aucune visite; toute visite et recherche devant être faite avant le chargement, et les marchandises prohibées devant être arrêtées sur la plage avant de pouvoir être embarquées, moins qu'on ait des indices manifestes ou des preuves de versement frauduleux de la part du propriétaire du vaisseau ou de celui qui en a le commandement. Dans le cas seul, il en sera responsable et soumis aux lois du pays où il se trouve. Dans aucun autre cas, ni les sujets de l'une des parties contractantes, se trouveront avec leurs navires dans les ports de l'autre, ni leurs marchandises, ne pourront être arrêtées ou molestées pour cause de contrebande, qu'ils auroient voulu prendre à leur bord.

ships, subjects or citizens of the state whose merchandizes are declared contraband, or the exportation of which is forbidden, those who shall have sold or endeavored to sell or alienate such merchandize, being liable to punishment for such contravention.

ni aucune espèce d'embargo mis sur leurs navires, les sujets ou citoyens de l'état où les marchandises sont déclarées de contrebande, ou dont la sortie est défendue et qui néanmoins auront vendu ou voulu vendre et aliéner les dites marchandises, devant être les seuls qui seront dûment punis pour une pareille contravention.

DONE at Paris the third day of April, in the year of our Lord one thousand seven hundred and eighty-three.

FAIT à Paris le trois Avril, l'an de Grâce mil septcent quatre-vingt-trois.

STAV PHILIP Comte de CREUTZ.
(L. S.)

B. FRANKLIN.
(L. S.)

O R I G I N A L.

DEFINITIVE TREATY of PEACE *between the United States of America and His Britannic Majesty.*

In the Name of the Most Holy and Undivided Trinity.

having pleased the Divine Providence to dispose the hearts of the most serene and most potent Prince GEORGE the Third, by the Grace of God King of Great-Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer and Prince Elector of the Holy Roman Empire, &c. and of the UNITED STATES of AMERICA, to forget all past misunderstandings and differences that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore; and to establish such a beneficial and satisfactory intercourse between the two countries, upon the ground of reciprocal advantages and mutual convenience, as may promote and secure to both perpetual

peace and harmony : And having for this desirable end already laid the foundation of peace and reconciliation by the provisional articles, signed at Paris, on the thirtieth of November, one thousand seven hundred and eighty-two, by the commissioners empowered on each part, which articles were agreed to be inserted in, and to constitute the treaty of peace proposed to be concluded between the crown of Great-Britain and the said United States, which treaty was not to be concluded until terms of peace should be agreed upon between Great-Britain and France, and his Britannic majesty should be ready to conclude such treaty accordingly ; and the treaty between Great-Britain and France, having since been concluded, his Britannic majesty and the United States of America in order to carry into full effect the provisional articles abovementioned, according to the tenor thereof, have constituted and appointed, that is to say, His Britannic Majesty on his part, David Hartley, Esquire, Member of the Parliament of Great-Britain ; and the said United States on their part, John Adams, Esquire, late a Commissioner of the United States of America at the Court of Versailles, late delegate in Congress from the state of Massachusetts, and Chief Justice of the said state, and Minister Plenipotentiary of the said United States to the High Mightinesses the States General of the United Netherlands ; Benjamin Franklin, Esquire, late Delegate in Congress from the state of Pennsylvania, President of the Convention of the said state, and Minister Plenipotentiary from the United States of America at the Court of Versailles ; John Jay, Esquire, late President of Congress, and Chief Justice of the state of New-York, and Minister Plenipotentiary from the said United States at the Court of Madrid, to be the Plenipotentiaries for the concluding and signing the present definitive treaty ; who after having reciprocally communicated their respective full powers, have agreed upon and confirmed the following articles.

ARTICLE I.

His Britannic Majesty acknowledges the said United States, viz. New-Hampshire, Massachusetts-Bay, Rho-

land and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, be free, sovereign and independent States; that he treats with them as such; and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same, and every part thereof.

ARTICLE II.

And that all disputes which might arise in future, on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are, and shall be their boundaries, viz. from the north-west angle of Nova-Scotia, viz. that angle which is formed by a line, drawn due north from the source of Saint Croix river to the Highlands; along the said Highlands which divide those rivers, that empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean, to the northwesternmost head of Connecticut river, thence down along the middle of that river, to the forty-fifth degree of north latitude; from thence, by a line due west on said latitude, until it strikes the river Iroquois or Cataraquy; thence along the middle of said river into Lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and Lake Erie; thence along the middle of said communication into Lake Erie, through the middle of said lake until it arrives at the water communication between that lake and lake Huron; thence along the middle of said water communication into the Lake Huron; thence through the middle of said lake to the water communication between that lake and Lake Superior; thence through Lake Superior northward of the Mes Royal and Philipeaus, to the Long Lake; thence through the middle of said Long Lake, and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most north-western point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river

Mississippi until it shall intersect the northernmost part of the thirty-first degree of north latitude. South by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the Equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint river; thence straight to the head of St. Mary's river; and thence down along the middle of St. Mary's river to the Atlantic ocean. East by a line to be drawn along the middle of the river St. Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid Highlands which divide the rivers that fall into the Atlantic ocean, from those which fall into the river St. Lawrence: comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova-Scotia on the one part, and East Florida on the other, shall respectively touch the Bay of Fundy and the Atlantic ocean; excepting such islands now are, or heretofore have been within the limits of the said province of Nova-Scotia.

ARTICLE III.

It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the grand bank, and on all the other banks of Newfoundland; also in the gulph of St. Lawrence, and at all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish; and also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use (but not dry or cure the same on that island); and also on the coasts, bays and creeks of all other of his Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours and creeks of Nova-Scotia, Madalen islands, and Labrador, so long as the same shall

remain unsettled; but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement, without a previous agreement for that purpose with the inhabitants, proprietors or possessors of the ground.

ARTICLE IV.

It is agreed that creditors on either side, shall meet with no lawful impediment to the recovery of the full value in sterling money, of all bona fide debts heretofore contracted.

ARTICLE V.

It is agreed that the Congress shall earnestly recommend to the legislatures of the respective states, to provide for the restitution of all estates, rights and properties, which have been confiscated, belonging to real British subjects, and also of the estates, rights and properties of persons resident in districts in the possession of his Majesty's arms, and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States, and therein to remain twelve months, unmolested in their endeavours to obtain the restitution of such of their estates, rights and properties, as may have been confiscated; and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent, not only with justice and equity, but with that spirit of conciliation, which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several states, that the estates, rights and properties of such last mentioned persons, shall be restored to them, they refunding to any persons who may be now in possession, the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights or properties, since the confiscation. And it is agreed, that all persons

who have any interest in confiscated lands, either by debt, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

ARTICLE VI.

That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons for, or by reason of the part which he or they may have taken in the present war; and that no person shall, on that account, suffer any future loss or damage, either in his person, liberty or property; and that those who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecutions so commenced be continued.

ARTICLE VII.

There shall be a firm and perpetual peace between Great-Britannic Majesty and the said States, and between the subjects of the one and the citizens of the other, whereof all hostilities both by sea and land shall from henceforth cease: all prisoners on both sides shall be set at liberty, and his Britannic Majesty shall, with all convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets from the said United States, and from every post, place or harbour within the same; leaving in all fortifications the American artillery that may be therein; and shall by order and cause all archives, records, deeds and papers, belonging to any of the said states, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

ARTICLE VIII.

The navigation of the river Mississippi, from its source to the ocean, shall for ever remain free and open to the subjects of Great-Britain, and the citizens of the United States.

ARTICLE IX.

In case it should so happen that any place or territory belonging to Great-Britain or to the United States, should have been conquered by the arms of either from the other, before the arrival of the said provisional articles in America, it is agreed, that the same shall be restored without difficulty, and without requiring any compensation.

ARTICLE X.

The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged between the contracting parties, in the space of six months, or sooner possible, to be computed from the day of the signature of the present treaty. In witness whereof, we the undersigned, their Ministers Plenipotentiary, have in their name signed in virtue of our full powers, signed with our hands the present definitive treaty, and caused the seals of our arms to be affixed thereto.

DONE at Paris, this third day of September, in the year of our Lord one thousand seven hundred and eighty-three.

D. HARTLEY, (L. S.)
 JOHN ADAMS, (L. S.)
 B. FRANKLIN, (L. S.)
 JOHN JAY. (L. S.)

ORIGINAL.

ARTICLES of a TREATY concluded at FORT STANWIX, on the twenty-second day of October, one thousand seven hundred and eighty-four, between Oliver Wolcott, Richard Butler, and Arthur Lee, Commissioners Plenipotentiary from the UNITED STATES in Congress assembled, on the one part, and the Sachems and Warriors of the SIX NATIONS on the other.

THE United States of America give peace to the Senecas, Mohawks, Onondagas and Cayugas, and receive them into their protection upon the following conditions :

ARTICLE I.

Six hostages shall be immediately delivered to the commissioners by the said nations, to remain in possession of the United States, till all the prisoners, white and black, who were taken by the said Senecas, Mohawks, Onondago and Cayugas, or by any of them in the late war, from among the people of the United States, shall be delivered up.

ARTICLE II.

The Oneida and Tuscarora nations shall be secured the possession of the lands on which they are settled.

ARTICLE III.

A line shall be drawn, beginning at the mouth of creek about four miles east of Niagara, called Oyonwaye or Johnston's Landing Place, upon the lake named by the Indians Oswego, and by us Ontario; from thence southerly in a direction always four miles east of the carrying path, between Lake Erie and Ontario, to the mouth of Tehoseroron or Buffalo Creek on Lake Erie; thence south to the north boundary of the state of Pennsylvania; then west to the end of the said north boundary; thence south along the west boundary of the said State, to the river Ohio; the said line from the mouth of the Oyonwaye to the Ohio, shall be the western boundary of the lands of the Six Nations, so that the Six Nations shall and do yield to the United States, all claims to the country west of the said boundary, and then they shall be secured in the peaceful possession of the lands they inhabit east and north of the same, reserving only six miles square round the fort Oswego, to the United States, for the support of the same.

ARTICLE IV.

The Commissioners of the United States in consideration of the present circumstances of the Six Nations, and in execution of the humane and liberal views of the United States upon the signing of the above articles, will ord

goods to be delivered to the said Six Nations for their
 ease and comfort.

	Oliver Wolcott,		(L. S.)
	Richard Butler,		(L. S.)
	Arthur Lee.		(L. S.)
Shawks.	{ Onogwendabonji,	his X mark.	(L. S.)
	{ Toseighnatogon,	his X mark.	(L. S.)
ondagas.	{ Oheadarighton,	his X mark.	(L. S.)
	{ Kendarindgon,	his X mark.	(L. S.)
ecas.	{ Tayagonendagighti,	his X mark.	(L. S.)
	{ Tchonwacagbrigagi,	his X mark.	(L. S.)
eidas.	{ Otyadonenghti,	his X mark.	(L. S.)
	{ Dagabeari,	his X mark.	(L. S.)
ruga.	{ Oraghgoanendagen,	his X mark.	(L. S.)
scarora.	{ Ononghsarwenghti,	his X mark.	(L. S.)
	{ Tharondawagon,	his X mark.	(L. S.)
eca Abeal.	{ Kayenthogbke.	his X mark.	(L. S.)

WITNESSES—Sam. Jo. Atlee, Wm. Maclay, Fras.
 hnson, Pennsylvania Commissioners. Aaron Hill, Alex-
 der Campbell, Sam. Kirkland, Mifs'y. James Dean,
 m. Montgomery, Derick Lane Capt. John Mercer
 eut. William Pennington Lieut. Mahlon Ford Ensign,
 igh Peebles.

ORIGINAL

ARTICLES of a TREATY concluded at FORT M'INTOSH,
 the twenty-first day of January, one thousand seven hun-
 dred and eighty-five, between the COMMISSIONERS PLENI-
 POTENTIARY of the UNITED STATES of America of the
 one part, and the SACHEMS and WARRIORS of the WIAN-
 DOT, DELAWARE, CHIPPAWA and OTTAWA NATIONS
 of the other.

THE Commissioners Plenipotentiary of the United
 States in Congress assembled, give peace to the Wi-
 dot, Delaware, Chippawa and Ottawa nations of Indi-
 s, on the following conditions.

ARTICLE I.

Three chiefs, one from among the Wiandot, and two from among the Delaware nations, shall be delivered up to the commissioners of the United States, to be by them retained till all the prisoners white and black taken by the said nations or any of them, shall be restored.

ARTICLE II.

The said Indian nations do acknowledge themselves and all their tribes to be under the protection of the United States, and of no other sovereign whatsoever.

ARTICLE III.

The boundary line between the United States and the Wiandot and Delaware nations, shall begin at the mouth of the river Cayahoga, and run thence up the said river to the portage between that and the Tuscarawas branch of the Miami ; then down the said branch to the forks at the crossing place above Fort Lawrence ; then westerly to the portage of the Big Miami, which runs into the Ohio, at the mouth of which Branch the fort stood which was taken by the French in one thousand seven hundred and fifty two ; then along the said portage to the Great Miami or Ome river, and down the south-east side of the same to its mouth ; thence along the south shore of lake Erie, to the mouth of Cayahoga where it began.

ARTICLE IV.

The United States allot all the lands contained within the said lines to the Wiandot and Delaware nations, to live and to hunt on, and to such of the Ottawa nation now live thereon ; saving and reserving for the establishment of trading posts, six miles square at the mouth of the Miami or Ome river, and the same at the portage on the branch of the Big Miami which runs into the Ohio, and the same on the lake of Sanduske where the fort formerly stood, and also two miles square on each side of the lower rapids of Sanduske river, which posts and the lands a

ned to them, shall be to the use and under the government of the United States.

ARTICLE V.

If any citizen of the said United States, or other person not being an Indian, shall attempt to settle on any of the lands allotted to the Wiandot and Delaware nations in this treaty, except on the lands reserved to the United States in the preceding article, such person shall forfeit the protection of the United States, and the Indians may punish him as they please.

ARTICLE VI.

The Indians who sign this treaty, as well in behalf of their tribes as of themselves, do acknowledge the lands to the north, south and west of the lines described in the third article, so far as the said Indians formerly claimed the same, to belong to the United States; and none of their tribes shall presume to settle upon the same, or any part of it.

ARTICLE VII.

The post of Detroit, with a district beginning at the mouth of the river Rosine, on the west end of lake Erie, and running west six miles up the southern bank of the said river, thence northerly and always six miles west of the strait, till it strikes the lake St. Clair, shall be also reserved to the sole use of the United States.

ARTICLE VIII.

In the same manner the post of Michillimachenac with its dependences and twelve miles square about the same, shall be reserved to the use of the United States.

ARTICLE IX.

If any Indian or Indians shall commit a robbery or murder on any citizen of the United States, the tribe to which such offenders may belong, shall be bound to deliver them up at the nearest post, to be punished according to the ordinances of the United States.

ARTICLE X.

The commissioners of the United States, in pursuance of the humane and liberal views of Congress, upon the treaty's being signed, will direct goods to be distributed among the different tribes for their use and comfort.

SEPARATE ARTICLE.

It is agreed that the Delaware chiefs, Kelelamand lieutenant-colonel Henry, Hengue Pushees or the Big C Wicocalind or captain White Eyes, who took up the hatchet for the United States, and their families, shall be received into the Delaware nation, in the same situation and rank as before the war, and enjoy their due portions of the lands given to the Wiandot and Delaware nations in this treaty, as fully as if they had not taken part with America, or as any other person or persons of the said nations.

<i>Geo. Clark,</i>		(L. s.)
<i>Richard Butler,</i>		(L. s.)
<i>Arthur Lee.</i>		(L. s.)
<i>Daunghquat,</i>	his X mark.	(L. s.)
<i>Abraham Kubn,</i>	his X mark.	(L. s.)
<i>Ottawerreri,</i>	his X mark.	(L. s.)
<i>Hebecan,</i>	his X mark.	(L. s.)
<i>Walendightun,</i>	his X mark.	(L. s.)
<i>Talapoxie,</i>	his X mark.	(L. s.)
<i>Wingenum,</i>	his X mark.	(L. s.)
<i>Packelant,</i>	his X mark.	(L. s.)
<i>Gingewanno,</i>	his X mark.	(L. s.)
<i>Waanoos,</i>	his X mark.	(L. s.)
<i>Konalewaffee,</i>	his X mark.	(L. s.)
<i>Shawnaqum,</i>	his X mark.	(L. s.)
<i>Quecookkia.</i>	his X mark.	(L. s.)

WITNESSES—Sam. J. Atlee, Francis Johnson, Pennsylvania Commissioners. Alexander Campbell. Joseph Harmar, Lieut. Col. Com't. Alexander Lowrey. Joseph Nicholas, interp'r. I. Bradford. George Slaughter. Van Swearingen. John Boggs. G. Evans. Luckett.

ORIGINAL

TREATY of AMITY and
COMMERCE between
His Majesty the KING of
PRUSSIA and the UNITED
STATES of AMERICA.

HIS Majesty the King of Prussia, and the United States of America, desiring to fix, in a permanent and equitable manner, the rules to be observed in the intercourse and commerce they desire to establish between their respective countries; His Majesty and the United States have judged that the said end cannot be better obtained than by signing the most perfect equality and reciprocity for the basis of their agreement.

With this view His Majesty the King of Prussia has nominated and constituted his Plenipotentiary, the Baron Frederick William de Thulemeier, his Privy Counsellor of Embassy, and Envoy Extraordinary with his High Mightinesses the States General of the United Netherlands, and the United States have, on their part, given full powers to John Adams, Esquire, late one of their Ministers Plenipotentiary for negotiating a peace, heretofore a Delegate in Con-

ORIGINAL

TRAITÉ d'AMITIÉ et de
COMMERCE entre sa
Majesté LE ROI DE PRUSSE, et les ETATS UNIS, de l'AMÉRIQUE.

SA Majesté le Roi de Prusse, &c. &c. et les Etats Unis de l'Amerique, désirant de fixer d'une manière permanente et équitable les règles qui doivent être observées relativement à la correspondance et au commerce à établir entre les Etats respectifs des deux parties; sa Majesté et les Etats Unis ont cru ne pouvoir mieux remplir ce but, qu'en posant pour base de leurs engagements la plus parfaite égalité et reciprocité.

Dans cette vuë sa Majesté le Roi de Prusse a nommé et constitué pour son Plénipotentiaire le Baron Frédéric Guillaume de Thulemeier, son Conseiller Privé d'Ambassade et Envoyé Extraordinaire auprès de leurs Hautes Puissances les Etats Généraux des Provinces Unies; et les Etats Unis ont de leur côté pourvu de leurs pleinpouvoirs le Sieur John Adams ci-devant l'un de leurs Ministres Plénipotentiaires pour traiter de la paix, Delegué au Congrès de la

gers from the state of Massachusetts, and Chief Justice of the same, and now Minister Plenipotentiary of the United States with His Britannic Majesty ; Doctor Benjamin Franklin, late Minister Plenipotentiary at the court of Versailles and another of their Ministers Plenipotentiary for negotiating a peace ; and Thomas Jefferson, heretofore a Delegate in Congress from the state of Virginia, and Governor of the said state, and now Minister Plenipotentiary of the United States at the court of His most Christian Majesty, which respective Plenipotentiaries, after having exchanged their full powers, and on mature deliberation, have concluded, settled and signed the following articles.

ARTICLE I.

There shall be a firm, inviolable and universal peace and sincere friendship between His Majesty the King of Prussia, his heirs, successors and subjects, on the one part, and the United States of America, and their citizens, on the other, without exception of persons or places.

part de l'état de Massachusetts et Chef de Justice du état, actuellement Ministre Plénipotentiaire des Etats Unis près sa Majesté le Roi de la Grande-Bretagne, Docteur Benjamin Franklin en dernier lieu leur Ministre Plénipotentiaire à la cour de sa Majesté très Chrétienne et aussi l'un de leurs Ministres Plénipotentiaires pour traiter de la paix ; et le Sieur Thomas Jefferson, ci-devant délégué au Congrès de part de l'état de Virginie Gouverneur du dit état, actuellement Ministre Plénipotentiaire à la cour de sa Majesté très Chrétienne, lesquels Plénipotentiaires respectifs, après avoir échangé leurs pleinpouvoirs et en conséquence d'une mure délibération, ont conclu, arrêté et signé les articles suivants

ARTICLE I.

Il y aura une paix ferme inviolable et universelle et une amitié sincère entre sa Majesté le Roi de Prusse, héritiers, successeurs et sujets, d'une part, et les Etats Unis d'Amerique et leurs citoyens, d'autre part, sans exception de personnes ni de lieux.

ARTICLE II.

The subjects of His Majesty the King of Prussia may frequent all the coasts and countries of the United States of America, and reside and trade there in all sorts of produce, manufactures and merchandize; and shall not pay within the said United States no other or greater duties, taxes, charges or fees whatsoever, than the most favourable nations are or shall be obliged to pay; and they shall enjoy all the rights, privileges and exemptions in navigation and commerce, which the most favoured nation does or shall enjoy; submitting themselves nevertheless to the laws and regulations there established, and which are submitted to the citizens of the United States, and the citizens and subjects of the most favoured nations.

ARTICLE III.

In like manner the citizens of the United States of America may frequent all the coasts and countries of His Majesty the King of Prussia, and reside and trade there in all sorts of produce, manufactures and merchandize, and shall pay in the do-

ARTICLE II.

Les sujets de sa Majesté le Roi de Prusse pourront fréquenter toutes les côtes et tous les pays des Etats Unis de l'Amérique, y résider et trafiquer en toutes sortes de productions, manufactures et marchandises, et ne payeront d'autres ni de plus forts impôts, charges ou droits dans les dits Etats Unis, que ceux que les nations les plus favorisées font, ou seront obligées de payer; et ils jouiront de tous les droits, privilèges et exemptions dans la navigation et le commerce dont jouit, ou jouira la nation la plus favorisée; se soumettant néanmoins aux loix et usages y établis, et auxquels sont soumis les citoyens des Etats Unis et les citoyens et sujets des nations les plus favorisées.

ARTICLE III.

Pareillement les citoyens des Etats Unis de l'Amérique pourront fréquenter toutes les côtes et tous les pays de sa Majesté le Roi de Prusse, y résider et trafiquer en toutes sortes de productions, manufactures et marchandises et ne payeront

minions of his said Majesty no other or greater duties, charges or fees whatsoever than the most favoured nation is or shall be obliged to pay; and they shall enjoy all the rights, privileges and exemptions in navigation and commerce which the most favoured nation does or shall enjoy; submitting themselves nevertheless to the laws and usages there established, and to which are submitted the subjects of his Majesty the King of Prussia, and the subjects and citizens of the most favoured nations

d'autres ni plus forts impôts, charges ou droits des domaines de sa dite Majesté, que ceux que la nation la plus favorisée est, ou la plus favorisée est, sera obligée de payer, et jouiront de tous les droits, privilèges et exemptions dans la navigation et le commerce, dont jouit ou jouit la nation la plus favorisée se soumettant néanmoins aux lois et usages y établis, aux quels sont soumis les sujets, de sa Majesté le Roi de Prusse, et les sujets et citoyens des nations les plus favorisées.

ARTICLE IV.

More especially each party shall have a right to carry their own produce, manufactures and merchandize, in their own or any other vessels to any parts of the dominions of the other, where it shall be lawful for all the subjects or citizens of that other freely to purchase them; and thence to take the produce, manufactures and merchandize of the other, which all the said citizens or subjects shall in like manner be free to sell them, paying in both cases such duties, charges and fees only, as are or shall be paid

ARTICLE IV.

En particulier chacune de deux nations aura le droit d'importer ses propres productions, manufactures et marchandises à bord de ses propres bâtiments ou de ceux de l'autre, dans toutes les parties des domaines de l'autre où il sera permis à tous les sujets et citoyens de l'autre nation de les acheter librement; comme aussi d'y charger les productions, manufactures et marchandises de l'autre que tous les dits sujets ou citoyens auront la liberté de leur vendre; en payant dans l'un et l'autre cas tels impôts, droits et cha

the most favoured nation. Nevertheless the King of Prussia and the United States, and each of them, reserve to themselves the right, where any nation restrains the transportation of merchandise to the vessels of the country of which it is the growth or manufacture, to establish against such nation prohibitory regulations; and to reserve the right to prohibit, in their respective countries, the importation and exportation of all merchandize whatsoever, when reasons of state shall require it. In this article the subjects or citizens of either of the contracting parties shall not import nor export the merchandize prohibited by the other; but if one of the contracting parties permits any other nation to import or export the same merchandize, the subjects or citizens of the other shall immediately enjoy the same liberty.

ARTICLE V.

The merchants, commanders of vessels, or other subjects or citizens of either party, shall not, within the

territoire, que ceux qui sont, ou seront payés par la nation la plus favorisée. Cependant le Roi de Prusse et les Etats Unis de l'Amérique, et chacun d'eux en particulier, se réservent le droit, au cas que quelque nation restreigne le transport des marchandises aux vaisseaux des pays dont elles sont la production ou la manufacture, d'établir envers cette nation des réglemens reciproques. Se réservant de plus le droit de prohiber dans leurs pays respectifs l'importation ou l'exportation de toute marchandise quelconque dès que la raison d'état l'exige. En ce cas les sujets ou citoyens d'une des parties contractantes ne pourront importer ni exporter les marchandises prohibées par l'autre. Mais si l'une des parties contractantes permet à quelqu'autre nation d'importer ou d'exporter ces mêmes marchandises, les citoyens ou sujets de l'autre partie contractante jouiront tout aussitôt d'une liberté pareille.

ARTICLE V.

Les marchands, commandans de vaisseaux, et autres sujets ou citoyens de chacune des deux nations, ne seront

ports or jurisdiction of the other, be forced to unload any sort of merchandize into any other vessels, nor to receive them into their own, nor to wait for their being loaded longer than they please.

ARTICLE VI.

That the vessels of either party loading within the ports or jurisdiction of the other, may not be uselessly harassed or detained, it is agreed, that all examinations of goods required by the laws, shall be made before they are laden on board the vessel, and that there shall be no examination after; nor shall the vessel be searched at any time, unless articles shall have been laden therein clandestinely and illegally, in which case the person by whose order they were carried on board, or who carried them without order, shall be liable to the laws of the land in which he is; but no other person shall be molested, nor shall any other goods, nor the vessel be seized or detained for that cause.

pas forcés dans les ports dans la jurisdiction de l'autre de décharger aucune sorte de marchandises dans d'autres vaisseaux, ni de les recevoir à bord de leurs propres navires, ni d'attendre le chargement plus long-temps qu'il ne leur plaira.

ARTICLE VI.

Pour éviter que les vaisseaux de l'une des deux parties contractantes ne soient point inutilement molestés ou détenus dans les ports ou sous la jurisdiction de l'autre, il a été convenu que la visite des marchandises, donnée par les loix, se fera avant qu'elles ne soient chargées sur le navire, et ensuite elles ne seront point assujetties à aucune visite. Et en général il ne sera point de recherche à bord du vaisseau, à moins qu'il n'y ait chargé clandestinement et illégalement des marchandises prohibées. Dans ce cas, celui par l'ordre duquel elles ont été portées à bord, ou celui qui les a portés sans ordre, sera soumis aux loix du pays où il se trouve, sans que le capitaine de l'équipage soit molesté, ni les autres marchandises du vaisseau saisies ou retenues par cette raison.

ARTICLE VII.

Each party shall endeavour, by all the means in their power, to protect and defend all vessels and other effects belonging to the citizens or subjects of the other, which shall be within the extent of their jurisdiction, by sea or by land; and shall use all their efforts to recover, and cause to be restored to the right owners, all vessels and effects which shall be taken from them within the extent of their jurisdiction.

ARTICLE VIII.

The vessels of the subjects or citizens of either party, coming on any coast belonging to the other, but not willing to enter into port or being forced into port, and not willing to unload their cargoes or break bulk, shall have liberty to depart and to pursue their voyage, without detention, and without being obliged to render account of their cargo, or to pay any duties, charges or expenses whatsoever, except those established for vessels entering into port, and appropriated to the maintenance of the port itself, or of other

ARTICLE VII.

Chacune des deux parties contractantes tâchera, par tous les moyens qui seront en son pouvoir, de protéger et de défendre tous les vaisseaux et autres effets appartenants aux citoyens ou sujets de l'autre, et se trouvant dans l'étendue de sa juridiction par mer ou par terre: et elle employera tous ses efforts pour recouvrer et faire restituer aux propriétaires légitimes les vaisseaux et effets qui leur auront été enlevés dans l'étendue de sa dite juridiction.

ARTICLE VIII.

Les vaisseaux des sujets ou citoyens d'une des deux parties contractantes, arrivant sur une côte appartenante à l'autre, mais n'ayant pas dessein d'entrer au port, ou y étant entrés, ne desirant pas de décharger leurs cargaisons, ou de rompre leur charge, auront la liberté de repartir et de poursuivre leur route sans empêchement, et sans être obligés de rendre compte de leur cargaison, ni de payer aucuns impôts, chargés, et droits quelconques, excepté ceux établis sur les vaisseaux une fois entrés dans le port,

establiments for the safety and convenience of navigators, which duties, charges and fees shall be the same, and shall be paid on the same footing as in the case of subjects or citizens of the country where they are established.

ARTICLE IX.

When any vessel of either party shall be wrecked, foundered or otherwise damaged on the coasts, or within the dominion of the other, their respective subjects or citizens shall receive, as well for themselves as for their vessels and effects, the same assistance which would be due to the inhabitants of the country where the damage happens, and shall pay the same charges and dues only as the said inhabitants would be subject to pay in a like case: and if the operations of repair shall require that the whole or any part of their cargo be unladed, they shall pay no duties, charges or fees on the part which they shall relade and carry away. The ancient and barbarous right to wrecks of the sea shall be entirely abolished,

et destinés à l'entretien port même ou à d'autres établissemens qui ont pour but la sûreté et la commodité des navigateurs, lesquels droits, charges et impôts seront les mêmes et se payeront sur le même pied qu'ils sont acquittés par les sujets ou citoyens de l'état où ils sont établis.

ARTICLE IX.

Au cas que quelque vaisseau appartenant à l'une ou l'autre des deux parties contractantes auroit fait naufrage, échoué ou souffert quelque dommage sur les côtes, sous la domination de l'autre, les sujets ou citoyens respectifs recevront, tant pour eux-mêmes que pour leurs vaisseaux et effets, la même assistance qui auroit été fournie aux habitants du pays où l'accident arrive; et ils payeront seulement les mêmes charges et droits, auxquels lesdits habitants auroient été assujettis en pareil cas. Si la réparation du vaisseau exigeoit que la cargaison fût déchargée en tout ou en partie, ils ne payeront aucun impôt, charge, ou droit de ce qui sera rembarqué ou emporté. L'ancien et barbare droit de naufrage sera

with respect to the subjects
citizens of the two con-
tracting parties.

ARTICLE X.

The citizens or subjects of
each party shall have power
to dispose of their personal
goods within the jurisdiction
of the other, by testament,
donation or otherwise; and
their representatives, being
subjects or citizens of the
other party, shall succeed to
their said personal goods,
whether by testament or *ab
testato*, and may take possi-
sion thereof either by
themselves or by others act-
ing for them, and dispose of
the same at their will, pay-
ing such dues only as the
habitants of the country
herein the said goods are,
shall be subject to pay in like
cases. And in case of the
absence of the representa-
tive, such care shall be taken
of the said goods, and for so
long a time as would be ta-
ken of the goods of a native
in like case, until the lawful
owner may take measures
for receiving them. And if
a question shall arise among
several claimants, to which
of them the said goods be-
long, the same shall be de-
cided finally by the laws and

entièrement aboli à l'égard
des sujets ou citoyens des
deux parties contractantes.

ARTICLE X.

Les citoyens ou sujets de
l'une des deux parties con-
tractantes auront dans les
états de l'autre la liberté de
disposer de leurs biens per-
sonnels, soit par testament,
donation ou autrement, et
leurs héritiers étant sujets ou
citoyens de l'autre partie
contractante, succéderont à
leurs biens, soit en vertu
d'un testament, ou *ab intestat*,
et ils pourront en prendre
possession, soit en personne,
soit par d'autres agissant en
leur place, et en disposeront
à leur volonté, en ne payant
d'autres droits que ceux aux-
quels les habitans du pays
où la succession est devenuë
vacante, sont assujettis en
pareille occurrence. Et en
cas d'absence des héritiers,
on prendra aussi long-temps
des biens qui leur sont échus,
les mêmes soins qu'on auroit
pris en pareille occasion des
biens des natifs du pays,
jusqu'à ce que le proprié-
taire légitime ait agréé des
arrangemens pour recueillir
l'héritage. S'il s'éleve des
contestations entre différens
pretendans ayant droit à la

judges of the land wherein the said goods are. And where, on the death of any person holding real estate within the territories of the one party, such real estate would by the laws of the land descend on a citizen or subject of the other, were he not disqualified by alienage, such subject shall be allowed a reasonable time to sell the same, and to withdraw the proceeds without molestation, and exempt from all rights of detraction on the part of the government of the respective states. But this article shall not derogate in any manner from the force of the laws already published or hereafter to be published by his Majesty the King of Prussia, to prevent the emigration of his subjects.

ARTICLE XI.

The most perfect freedom of conscience and of worship, is granted to the citizens or subjects of either party, within the jurisdiction of the other, without being liable to molestation in that respect, for any cause other than an insult on the religion of o-

succession, elles seront décodées en dernier ressort selon les loix et par les juges du pays où la succession est vacante. Et si par la mort de quelque personne possédant des biens-fonds sur un territoire de l'une des parties contractantes, ces biens-fonds venoient à passer, selon les loix du pays, à un citoyen ou sujet de l'autre partie, celui-ci, si par sa qualité d'étranger il est inhabile de les posséder, obtiendra un délai convenable pour les vendre et pour en retirer le revenu, sans obstacle, et exempt de tout droit de redevance, de la part du gouvernement des Etats respectifs. Mais cet article ne déroge en aucune manière à la force des loix qui ont déjà été publiées ou qui le seront dans la suite, par sa Majesté le Roi de Prusse, pour prévenir l'emigration de ses sujets.

ARTICLE XI.

Il sera accordé la plus parfaite liberté de conscience et de culte aux citoyens et sujets de chaque partie contractante dans les états de l'autre, et personne ne sera molesté à cet égard pour quelque cause que ce soit si ce n'est pour insulte fai-

ners. Moreover, when the subjects or citizens of the one party, shall die within the jurisdiction of the other, their bodies shall be buried in the usual burying grounds, or other decent and suitable places, and shall be protected from violation or disturbance.

à la religion de l'autre. De plus, si des sujets et citoyens de l'une de parties contractantes venoient à mourir dans la jurisdiction de l'autre, leurs corps seront enterrés dans les endroits où l'on a coutume de faire les enterremens, ou dans tel autre lieu décent et convenable, et ils seront protégés contre toute violence et trouble.

ARTICLE XII.

If one of the contracting parties should be engaged in war with any other power, the free intercourse and commerce of the subjects or citizens of the party remaining neutral with the belligerent powers, shall not be interrupted. On the contrary, in that case as in full peace, the vessels of the neutral party may navigate freely to and from the ports and on the coasts of the belligerent parties, free vessels making free goods, insomuch that all things shall be adjudged free which shall be on board any vessel belonging to the neutral party, although such things belong to an enemy of the other; and the same freedom shall be extended to persons who shall be on

ARTICLE XII.

Si l'une des parties contractantes étoit en guerre avec une autre puissance, la libre correspondance et le commerce des citoyens ou sujets de la partie qui demeure neutre envers les puissances belligérantes, ne seront point interrompus. Au contraire, et dans ce cas, comme en pleine paix, les vaisseaux de la partie neutre pourront naviger en toute sûreté dans les ports et sur les côtes des puissances belligérantes, les vaisseaux libres rendant les marchandises libres, en tant qu'on regardera comme libre tout ce qui sera à bord d'un navire appartenant à la partie neutre, quand même ces effets appartiendroient à l'ennemi de l'autre. La même

board a free vessel, although they should be enemies to the other party, unless they be soldiers in actual service of such enemy.

ARTICLE XIII.

And in the same case of one of the contracting parties being engaged in war with any other power, to prevent all the difficulties and misunderstandings that usually arise respecting the merchandize heretofore called contraband, such as arms, ammunition and military stores of every kind, no such articles carried in the vessels, or by the subjects or citizens of the parties to the enemies of the other, shall be deemed contraband, so as to induce confiscation or condemnation and a loss of property to individuals. Nevertheless it shall be lawful to stop such vessels and articles, and to detain them for such length of time as the captors may think necessary to prevent the inconvenience or damage that might ensue from their proceeding, paying however a reasonable compensation for the loss

liberté s'étendra aux personnes qui se trouveront à bord d'un vaisseau libre, quand même elles seroient ennemies de l'autre partie, excepté que ce fussent des gens de guerre, actuellement au service de l'ennemi.

ARTICLE XIII.

Dans le cas où l'une des parties contractantes se trouveroit en guerre avec une autre puissance, il a été convenu que pour prévenir les difficultés et les discussions qui surviennent ordinairement par rapport aux marchandises ci-devant appelées contrebande, telles que armes, munitions, et autres provisions de guerre de toute espèce, aucun de ces articles chargés à bord des vaisseaux des citoyens ou sujets de l'une des parties, et destiné pour l'ennemi de l'autre, ne sera censé de contrebande au point d'impliquer confiscation ou condamnation, et d'entraîner la perte de la propriété des individus. Néanmoins il sera permis d'arrêter ces sortes de vaisseaux et effets, et de les retenir pendant tout le temps que le preneur croira nécessaire pour prévenir les inconveniens et le dommage qu

such arrest shall occasion to the proprietors: And it shall further be allowed to use in the service of the captors, the whole or any part of the military stores so detained, paying the owners the full value of the same, to be ascertained by the current price at the place of its destination. But in the case supposed, of a vessel stopped for articles heretofore deemed contraband, if the master of the vessel stopped will deliver out the goods supposed to be of contraband nature, he shall be admitted to do so, and the vessel shall not in that case be carried into any port, nor further detained, but shall be allowed to proceed on her voyage.

ARTICLE XIV.

And in the same case where one of the parties is engaged in war with another power, that the vessels of the neutral party may be readily and certainly known, it is agreed, that they shall be provided with sea-letters, or passports, which shall express the name, the property

pourroient en resulter autrement; mais dans ce cas on accordera une compensation raisonnable pour les pertes qui auront été occasionnées par la saisie. Et il sera permis en outre aux preneurs d'employer a leur service, en tout, ou en partie, les munitions militaires détenues, en en payant aux propriétaires la pleine valeur, à déterminer sur le prix qui aura cours à l'endroit de leur destination; mais que dans le cas énoncé, d'un vaisseau arrêté pour des articles ci-devant appelés contrebande, si le maître du navire consentoit à delivrer les marchandises suspectes, il aura la liberté de le faire, et le navire ne sera plus amené dans le port, ni détenu plus long-temps, mais aura toute liberté de poursuivre sa route.

ARTICLE XIV.

Dans le cas où l'une des deux parties contractantes se trouveroit engagéé dans une guerre avec une autre puissance, et afin que les vaisseaux de la partie neutre foyent promptement et sûrement reconnus, on est convenu qu'ils devront être munis de lettres de mer ou

and burthen of the vessel, as also the name and dwelling of the master, which passports shall be made out in good and due forms (to be settled by conventions between the parties whenever occasion shall require) shall be renewed as often as the vessel shall return into port; and shall be exhibited whensoever required, as well in the open sea as in port. But if the said vessel be under convoy of one or more vessels of war, belonging to the neutral party, the simple declaration of the officer commanding the convoy, that the said vessel belongs to the party of which he is, shall be considered as establishing the fact, and shall relieve both parties from the trouble of further examination.

ARTICLE XV.

And to prevent entirely all disorder and violence in such cases, it is stipulated, that when the vessels of the neutral party, sailing without convoy, shall be met by any vessel of war, public or private, of the other party, such vessel of war shall not approach within cannonshot of the said neutral vessel, nor

passports, exprimant le nom du propriétaire, et le port du navire, ainsi que le nom de la demeure du maître. Les passeports, qui seront établis en bonne et due forme (à déterminer par des conventions entre les parties lorsque l'occasion le requerra) devront être renouvelés toutes les fois que le vaisseau retournera dans le port, et seront exhibés à chaque requisition tant en pleine mer que dans le port. Mais si le navire se trouve sous le convoi d'un ou de plusieurs vaisseaux de guerre appartenants à la partie neutre, il suffira que l'officier commandant du convoi déclare que le navire est de son parti moyennant quoi la simple déclaration sera considérée établis le fait, et dispensera les deux parties de toute visite ultérieure.

ARTICLE XV.

Pour prévenir entièrement tout désordre et toute violence en pareil cas, il a été stipulé que lorsque des navires, de la partie neutre, navigeront sans convoi, ils seront rencontrés par quelque vaisseau de guerre public ou particulier de l'autre partie, ce vaisseau de guerre n'approchera le navire neutre

ed more than two or three
 n in their boat on board
 fame, to examine her
 letters or passports. And
 persons belonging to any
 el of war, public or pri-
 e, who shall molest or in-
 e, in any manner what-
 r, the people, vessels or
 ets of the other party,
 ll be responsible in their
 sons and property for da-
 ges and interest, sufficient
 urity for which shall be
 en by all commanders of
 vate armed vessels before
 y are commissioned.

qu' au dela de la portée du
 canon, et n'enverra pas plus
 de deux ou trois hommes
 dans sa chaloupe à bord,
 pour examiner les lettres de
 mer ou passeports. Et toutes
 les personnes appartenantes
 à quelque vaisseau de guerre
 public ou particulier, qui
 molesteront ou insulteront
 en quelque manière que ce
 soit l'équipage, les vaisseaux
 ou effets de l'autre partie,
 seront responsables en leurs
 personnes et en leurs biens,
 de tous dommages et inté-
 rêts ; pour lesquels il sera
 donné caution suffisante par
 tous les commandans de
 vaisseaux armés en course,
 avant qu'ils reçoivent leurs
 commissions.

ARTICLE XVI.

It is agreed that the sub-
 jects or citizens of each of
 the contracting parties, their
 vessels and effects, shall not
 be liable to any embargo or
 detention on the part of the
 other, for any military ex-
 pedition, or other public or
 private purpose whatsoever.
 And in all cases of seizure,
 detention or arrest, for debts
 contracted or offences com-
 mitted by any citizen or sub-
 ject of the one party, within
 the jurisdiction of the other,

ARTICLE XVI.

Il a été convenu que les
 sujets ou citoyens de l'une
 des parties contractantes,
 leurs vaisseaux ni effets, ne
 pourront être assujettis à au-
 cun embargo, ni retenus de
 la part de l'autre pour quel-
 que expédition militaire, u-
 sage public ou particulier de
 quelque nature qu'il soit. Et dans les
 cas de saisie, de détention,
 ou d'arrêt, soit pour dettes
 contractées, ou offenses com-
 mises par quelque citoyen
 ou sujet de l'une des parties

the same shall be made and prosecuted by order and authority of law only, and according to the regular course of proceedings usual in such cases.

ARTICLE XVII.

If any vessel or effects of the neutral power be taken by an enemy of the other, or by a pirate, and retaken by that other, they shall be brought into some port of one of the parties, and delivered into the custody of the officers of that port, in order to be restored entire to the true proprietor as soon as due proof shall be made concerning the property thereof.

ARTICLE XVIII.

If the citizens or subjects of either party, in danger from tempests, pirates, enemies or other accident, shall take refuge with their vessels or effects, within the harbours or jurisdiction of the other, they shall be received, protected and treated with humanity and kindness, and shall be permitted to furnish themselves, at reasonable prices, with all refreshments, provisions and other things

contractantes dans la jurisdiction de l'autre, on cédera uniquement par ordre et autorité de la justice suivant les voyes ordinaires en pareil cas usitées.

ARTICLE XVII.

S'il arrivoit que les biens ou effets de la puissance neutre fussent pris par l'ennemi de l'autre, ou par un pirate, et ensuite repris par la puissance en guerre, ils seront conduits dans un port de l'une des deux parties contractantes et remis sous la garde des officiers de ce port, afin d'être restitués entiers au propriétaire légitime, dès qu'il aura dûment constaté son droit de propriété.

ARTICLE XVIII.

Lorsque les citoyens ou sujets de l'une des deux parties contractantes seront en danger par des tempêtes, par la poursuite des corsaires ou par quelque autre accident, et qu'ils se réfugieront avec leurs vaisseaux ou effets dans les havres, dans la jurisdiction de l'autre, ils seront reçus, protégés et traités avec humanité et honnêteté. Il leur sera permis de se pourvoir à

ecessary for their sustenance, health and accommodation, and for the repair of their vessels.

prix raisonnable de rafraichissemens, de provisions et de toutes choses nécessaires pour leur subsistance santé et commodité, et pour la reparation de leurs vaisseaux.

ARTICLE XIX.

The vessels of war, public and private, of both parties, shall carry freely wheresoever they please, the vessels and effects taken from their enemies, without being obliged to pay any duties, charges or fees to officers of Admiralty, of the customs, or any others, nor shall such prizes be arrested, searched or put under legal process, when they come to and enter the ports of the other party, but may freely be carried out again at any time by their captors to the places expressed in their commissions, which the commanding officer of such vessel shall be obliged to shew. But no vessel which shall have made prizes on the subjects of His Most Christian Majesty the King of France, shall have a right of asylum in the ports or havens of the said United States; and if any such be forced therein by tempest or dangers of the sea, they shall be

ARTICLE XIX.

Les vaisseaux de guerre publics et particuliers des deux parties contractantes pourront conduire en toute liberté, par tout où il leur plaira, les vaisseaux et effets qu'ils auront pris sur leurs ennemis, sans être obligés de payer aucuns impôts, charges ou droits aux officiers de l'amirauté, des douanes ou autres. Ces prises ne pourront être non plus ni arrêtées, ni visitées, ni fournies à des procédures légales, en entrant dans le port de l'autre partie, mais elles pourront en sortir librement, et être conduites en tout temps par le vaisseau porteur aux endroits portés par les commissions, dont l'officier commandant le dit vaisseau fera obligé de faire montre. Mais tout vaisseau qui aura fait des prises sur les sujets de sa Majesté très Chrétienne le Roi de France, ne sauroit obtenir un droit d'asile dans les ports ou havres des Etats Unis; et s'il

obliged to depart as soon as possible, according to the tenor of the treaties existing between his said Most Christian Majesty and the said United States.

étoit forcé d'y entrer par tempêtes ou dangers de mer, il sera obligé d'en repartir le plutôt possible, conformément à la teneur des traités subsistans entre sa Majesté très Chrétienne et les États Unis.

ARTICLE XX.

No citizen or subject of either of the contracting parties shall take from any power with which the other may be at war, any commission or letter of marque for arming any vessel to act as a privateer against the other, on pain of being punished as a pirate; nor shall either party hire, lend or give any part of their naval or military force to the enemy of the other, to aid them offensively or defensively against that other.

ARTICLE XX.

Aucun citoyen ou sujet de l'une des deux parties contractantes n'acceptera une puissance avec laquelle l'autre pourroit être en guerre, ni commission, ni lettre de marque, pour armer contre cette dernière sous peine d'être puni comme pirate. Et ni l'un ni l'autre des deux États louera, prêtera ou donnera une partie de ses forces navales ou militaires à l'ennemi de l'autre, pour l'aider à agir offensively ou défensivement contre l'état qui est en guerre.

ARTICLE XXI.

If the two contracting parties should be engaged in war against a common enemy, the following points shall be observed between them.

1st. If a vessel of one of the parties, retaken by a privateer of the other, shall not

ARTICLE XXI.

S'il arrivoit que les deux parties contractantes fussent en même temps en guerre contre un ennemi commun on observera de part et d'autre les points suivans

1. Si les bâtimens de l'une des deux nations repris par les armateurs de l'autre

have been in possession of the
 enemy more than twenty-
 four hours, she shall be re-
 stored to the first owner for
 one third of the value of the
 vessel and cargo; but if she
 shall have been more than
 twenty-four hours in posses-
 sion of the enemy, she shall
 belong wholly to the recap-
 turer. 2d. If in the same case
 the recapture were by a pub-
 lic vessel of war of the one
 party, restitution shall be
 made to the owner for one
 fortieth part of the value
 of the vessel and cargo, if
 she shall not have been in
 possession of the enemy more
 than twenty-four hours, and
 one tenth of the said value
 where she shall have been
 longer, which sums shall be
 distributed in gratuities to
 the recaptors. 3d. The re-
 stitution in the cases afore-
 said, shall be after due proof
 of property, and surety given
 for the part to which the re-
 captors are entitled. 4th.
 The vessels of war, public
 and private, of the two par-
 ties, shall be reciprocally ad-
 mitted with their prizes into
 the respective ports of each;
 but the said prizes shall not
 be discharged nor sold there,
 until their legality shall have
 been decided according to

n'ont pas été au pouvoir de
 l'ennemi au de la de vingt-
 quatre heures, ils seront res-
 titués, au premier proprié-
 taire moyennant le paye-
 ment du tiers de la valeur
 du bâtiment et de la cargai-
 son : si au contraire le vais-
 seau repris a été plus de
 vingt-quatre heures au pou-
 voir de l'ennemi, il apparti-
 endra en entier à celui qui
 l'a repris. 2. Dans le cas
 qu'un navire est repris par
 un vaisseau de guerre de
 l'une des puissances contrac-
 tantes, il sera rendu au pro-
 priétaire, moyennant qu'il
 paye un trentieme du navire
 et de la cargaison, si le bâti-
 ment n'a pas été plus de
 vingt-quatre heures au pou-
 voir de l'ennemi, et le dix-
 ieme de cette valeur, s'il y
 a été plus long-temps, les-
 quelles sommes seront distri-
 buées en guise de gratifica-
 tion à ceux qui l'auront re-
 pris. 3. Dans ces cas la re-
 stitution n'aura lieu qu'après
 les preuves faites de la pro-
 priété sous caution de la
 quote-part qui en revient à
 celui qui a repris le navire.
 4. Les vaisseaux de guerre
 publics et particuliers des
 deux parties contractantes
 seront admis réciproquement
 avec leurs prises dans les

the laws and regulations of the states to which the captor belongs, but by the judicatures of the place into which the prize shall have been conducted. 5th. It shall be free to each party to make such regulations as they shall judge necessary for the conduct of their respective vessels of war, public and private, relative to the vessels which they shall take and carry into the ports of the two parties.

ports respectifs ; cependant ces prises ne pourront y être déchargées ni vendues, après que la légitimité de la prise aura été décidée, suivant les loix et réglemens de l'état dont le preneur est sujet, mais par la justice du lieu où la prise aura été conduite. 5. Il fera libre à chacune des parties contractantes de faire tels réglemens qu'elles jugeront nécessaires, relativement à la conduite que elles auront tenir respectivement leurs vaisseaux de guerre publics et particuliers, en égard des bâtimens qui auront pris et amenés dans les ports des deux puissances.

ARTICLE XXII.

Where the parties shall have a common enemy, or shall both be neutral, the vessels of war of each shall upon all occasions take under their protection the vessels of the other going the same course, and shall defend such vessels as long as they hold the same course, against all force and violence, in the same manner as they ought to protect and defend vessels belonging to the party of which they are.

ARTICLE XXII.

Lorsque les parties contractantes feront engagées en guerre contre un ennemi commun, ou qu'elles seront neutres toutes deux, les vaisseaux de guerre de l'une prendront en toute occasion sous leur protection les navires de l'autre, qui se trouvent avec eux la même route, ils les défendront, aussi longtemps qu'ils feront voile ensemble, contre toute force et violence et de la même manière qu'ils protégeroient et défendroient les navires de leur propre nation.

ARTICLE XXIII.

If war should arise between two contracting parties, the merchants of either country, then residing in the other, shall be allowed to remain nine months to collect their debts and settle their affairs, and may depart freely, carrying off all their effects, without molestation or hindrance: And women and children, scholars of every faculty, cultivators of the earth, artificers, manufacturers and fishermen unarmed and inhabiting unfortified towns, villages or places, and in general all others whose occupations are for the common sustenance and benefit of mankind, shall be allowed to continue their respective employments, and shall not be molested in their persons, nor shall their houses or lands be burnt, or otherwise destroyed, nor their fields spoiled by the armed force of the enemy, into whose power they may happen to fall; but nothing is necessary to be taken from them for the use of such armed force, the value shall be paid for at a reasonable price. And all merchant and trading vessels

ARTICLE XXIII.

S'il survient une guerre entre les parties contractantes, les marchands de l'un des deux états qui résideront dans l'autre, auront la permission d'y rester encore neuf mois, pour recueillir leurs dettes actives, et arranger leurs affaires, après quoi ils pourront partir en toute liberté et importer tous leurs biens, sans être molestés ni empêchés. Les femmes et les enfans, les gens de lettres de toutes les facultés, les cultivateurs, artisans, manufacturiers et pêcheurs, qui ne sont point armés et qui habitent des villes, villages ou places qui ne sont pas fortifiées, et en général tous ceux dont la vocation tend à la subsistance et à l'avantage commun du genre humain, auront la liberté de continuer leurs professions respectives, et ne seront point molestés en leurs personnes, ni leurs maisons, ou leurs biens incendiés, ou autrement détruits, ni leurs champs ravagés par les armées de l'ennemi au pouvoir duquel ils pourroient tomber par les événemens de la guerre, mais si l'on se trouve dans la nécessité de prendre quelque chose de leurs propriétés

employed in exchanging the products of different places, and thereby rendering the necessaries, conveniencies and comforts of human life more easy to be obtained, and more general, shall be allowed to pass free and unmolested; and neither of the contracting powers shall grant or issue any commission to any private armed vessels, empowering them to take or destroy such trading vessels or interrupt such commerce.

ARTICLE XXIV.

And to prevent the destruction of prisoners of war, by sending them into distant and inclement countries, or by crowding them into close and noxious places, the two contracting parties solemnly pledge themselves to each other, and to the world, that they will not adopt any such practice; that neither will send the prisoners whom they may take from the other into the East-Indies, or any other parts of Asia or Africa, but that they shall be

pour l'usage de l'armée ennemie, la valeur en sera payée à un prix raisonnable. Tous les vaisseaux marchands et commerçans, employés à l'échange des productions de differens droits, et par conséquent destinés à faciliter et repandre les necessités les commodités et les douceurs de la vie, passeront librement et sans être molestés. Les deux puissances contractantes s'engagent à n'accorder aucune commission des vaisseaux armés en course qui les autorisât à prendre ou à détruire ces fortes vaisseaux marchands ou interrompre le commerc

ARTICLE XXIV.

Afin d'adoucir le sort des prisonniers de guerre, et les point exposer à être voyés dans des climats éloignés et rigoureux, ou résider dans des habitations étroites et malsaines, les deux parties contractantes s'engagent solennellement l'une envers l'autre, et à la face de l'univers, qu'elles n'adoptent aucun de ces usages; que les prisonniers qu'elles prendroient faire l'une sur l'autre ne seront transportés ni en l'Indes Orientales, ni en

led in some part of their
 opinions in Europe or A-
 rica, in wholesome situa-
 ions; that they shall not be
 confined in dungeons, pri-
 ships, nor prisons, nor be
 into irons, nor bound,
 otherwise restrained in
 use of their limbs; that
 officers shall be enlarged
 their paroles within con-
 nient districts, and have
 comfortable quarters, and
 common men be disposed
 cantonments open and
 enfive enough for air and
 rcise, and lodged in bar-
 ks as roomly and good
 are provided by the party
 whose power they are for
 r own troops; that the
 cers shall also be daily
 nished by the party in
 ose power they are, with
 many rations, and of the
 e articles and quality as
 allowed by them, either
 kind or by commutation,
 officers of equal rank in
 ir own army; and all o-
 rs shall be daily furnished
 them with such ration as
 y allow to a common sol-
 er in their own service;
 e value whereof shall be
 id by the other party on a
 mutual adjustment of ac-
 cunts for the subsistence of
 prisoners at the close of the

aucune contrée de l'Asie ou
 de l'Afrique, mais qu'on
 leur assignera en Europe ou
 en Amerique, dans les terri-
 toirs respectifs des parties
 contractantes, un séjour si-
 tué dans un air sain; qu'ils
 ne seront point confinés dans
 des cachots, ni dans des pri-
 sons ni dans des vaisseaux
 de prison; qu'ils ne seront
 pas mis au fers, ni garotés,
 ni autrement privés de l'u-
 sage de leurs membres; que
 les officiers seront relâchés
 sur leur parole d'honneur
 dans l'enceinte de certains
 districts qui leur seront fix-
 és, et qu'on leur accordera
 des logemens commodes;
 que les simples soldats seront
 distribués dans des canton-
 nemens ouverts, assez vastes
 pour prendre l'air et l'excer-
 cice, et qu'ils seront logés
 dans des barraques aussi spa-
 tieuses et aussi commodes
 que le sont celles des troupes
 de la puissance au pouvoir
 de laquelle se trouvent les
 prisonniers. Que cette puis-
 sance fera pourvoir journal-
 lement les officiers d'autant
 de rations, composées des
 mêmes articles et de la même
 qualité, dont jouissent en
 nature ou en équivalent les
 officiers du même rang qui
 sont à son propre service;

war; and the said accounts shall not be mingled with, or set off against any others, nor the balances due on them, be withheld as a satisfaction or reprisal for any other article, or for any other cause, real or pretended, whatever; that each party shall be allowed to keep a commissary of prisoners of their own appointment, with every separate cantonment of prisoners in possession of the other, which commissary shall see the prisoners as often as he pleases, shall be allowed to receive and distribute whatever comforts may be sent to them by their friends, and shall be free to make his reports in open letters to those who employ him; but if any officer shall break his parole, or any other prisoner shall escape from the limits of his cantonment, after they shall have been designated to him, such individual officer or other prisoner, shall forfeit so much of the benefit of this article as provides for his enlargement on parole or cantonment. And it is declared, that neither the pretence that war dissolves all treaties, nor any other whatever, shall be considered as

qu'elle fournira également à tous les autres prisonniers une ration pareille à celle qui est accordée au soldat de sa propre armée. Le montant de ces dépenses sera payé par l'autre puissance d'après une liquidation de compte à arrêter réciproquement pour l'entretien des prisonniers à la fin de guerre; et ces comptes ne seront point confondus ou lancés avec d'autres comptes ni la solde qui en est dû retenuë comme compensation ou représailles, pour autre article ou telle autre prétention réelle ou supposée. Il sera permis à chacun des deux puissances d'entretenir un commissaire de leur choix dans chaque cantonement des prisonniers. Ces commissaires auront la liberté de visiter les prisonniers, aussi souvent qu'ils désireront, ils pourront également recevoir et distribuer les douceurs que leurs parens ou amis des prisonniers leur feront parvenir. Enfin il leur sera libre encore de faire leurs rapports par lettres ouvertes à ceux qui les employent, mais si un officier manquoit à sa parole d'honneur, ou qu'un aut

annulling or suspending this and the next preceding article; but on the contrary, that the state of war is precisely that for which they are provided, and during which they are to be as sacredly observed as the most acknowledged articles in the law of nature or nations.

prisonnier sortit des limites qui auront été fixées à son cantonnement, un tel officier ou un autre prisonnier sera frustré individuellement des avantages stipulés dans cet article pour sa relaxation sur parole d'honneur ou pour son cantonnement. Les deux puissances contractantes ont déclaré en outre, qu'ni le prétexte que la guerre rompt les traités, ni tel autre motif quelconque, ne feront censés annuler ou suspendre cet article et le précédent; mais qu'au contraire le temps de la guerre est précisément celui pour lequel ils ont été stipulés, et durant lequel ils seront observés aussi saintement que les articles les plus universellement reconnus par le droit de la nature et des gens.

ARTICLE XXV.

ARTICLE XXV.

The two contracting parties grant to each other the liberty of having each in the ports of the other, consuls, vice-consuls, agents and commissaries of their own appointment, whose functions shall be regulated by particular agreement whenever either party shall chuse to make such appointment; but if any such consuls shall ex-

Les deux parties contractantes se sont accordé mutuellement la faculté de tenir dans leurs ports respectifs des consuls, vice-consuls, agens et commissaires de leur choix et dont les fonctions seront déterminées par un arrangement particulier, lorsque l'une des deux puissances aura nommé à ces postes. Mais dans le cas

ercise commerce, they shall be submitted to the same laws and usages to which the private individuals of their nation are submitted in the same place.

que tel, ou autre de ces corsuls veuille faire le commerce, il sera soumis aux mêmes loix et usages, auxquels sont soumis les particuliers de sa nation à l'endroit où il réside.

ARTICLE XXVI.

If either party shall hereafter grant to any other nation, any particular favour in navigation or commerce, it shall immediately become common to the other party, freely, where it is freely granted, to such other nation, or on yielding the compensation where such nation does the same.

ARTICLE XXVI.

Lorsque l'une des deux parties contractantes accordera dans la suite quelque faveur particulière en fait de navigation ou de commerce à d'autres nations, elle deviendra aussitôt commune à l'autre partie contractante et celle-ci jouira de cette faveur, gratuitement, si la concession est gratuite, ou en accordant la même compensation si la concession est conditionnelle.

ARTICLE XXVII.

His Majesty the King of Prussia, and the United States of America, agree that this treaty shall be in force during the term of ten years from the exchange of ratifications; and if the expiration of that term should happen during the course of a war between them, then the articles before provided for the regulation of their conduct during such a war, shall continue in force until the

ARTICLE XXVII.

Sa Majesté le Roi de Prusse et les États Unis de l'Amérique sont convenus que le présent traité aura son plein effet pendant l'espace de dix ans à compter du jour de l'échange des ratifications, et que si l'expiration de ce terme arrivoit dans le cours d'une guerre entre eux les articles ci-dessus stipulés pour régler leur conduite en temps de guerre, conserveront toute leur force, jusqu'

conclusion of the treaty which shall re-establish peace; and that this treaty shall be ratified on both sides, and the ratifications exchanged within one year from the day of its signature.

à la conclusion du traité qui rétablira la paix. Le présent traité sera ratifié de part et d'autre, et les ratifications seront échangées dans l'espace d'une année, à compter du jour de la signature.

In testimony whereof, the Plenipotentiaries before mentioned, have hereto subscribed their names, and affixed their seals, at the places of their respective residence, and at the dates expressed under their several signatures.

En foi de quoi les Plenipotentiaires sus nommés ont signé le présent traité et y ont apposé le cachet de leurs armes aux lieux de leur domicile respectif, ainsi qu'il sera exprimé si-dessous.

F. G. DE THULEMEIER. (L. S.)

A la Haye le 10, Septembre, 1785.

JOHN ADAMS. (L. S.)

London, August 5, 1785.

B. FRANKLIN. (L. S.)

Passy, July 9, 1785.

TH. JEFFERSON. (L. S.)

Paris, July 28, 1785.

O R I G I N A L.

ARTICLES of a TREATY concluded at HOPEWELL, on the Keowee, between Benjamin Hawkins, Andrew Pickens, Joseph Martin, and Lachlan M'Intosh, Commissioners Plenipotentiary of the UNITED STATES of AMERICA, of the one Part, and the Head-Men and Warriors of all the CHEROKEES of the other.

THE Commissioners Plenipotentiary of the United States in Congress assembled give peace to all the Cherokees, and receive them into the favour and protection of the United States of America, on the following conditions.

ARTICLE I.

The Head-Men and Warriors of all the Cherokee shall restore all the prisoners, citizens of the United States, or subjects of their allies, to their entire liberty: They shall also restore all the Negroes, and all other property taken during the late war from the citizens, to such person, and at such time and place, as the Commissioners shall appoint.

ARTICLE II.

The Commissioners of the United States in Congress assembled, shall restore all the prisoners taken from the Indians, during the late war, to the Head-Men and Warriors of the Cherokees, as early as is practicable.

ARTICLE III.

The said Indians for themselves and their respective tribes and towns, do acknowledge all the Cherokees to be under the protection of the United States of America and of no other sovereign whatsoever.

ARTICLE IV.

The boundary allotted to the Cherokees for their hunting grounds, between the said Indians and the citizens of the United States, within the limits of the United States of America, is, and shall be the following, viz. Beginning at the mouth of Duck river, on the Tennessee; thence running north-east to the ridge dividing the waters running into Cumberland from those running into the Tennessee; thence eastwardly along the said ridge to a north-east line to be run, which shall strike the river Cumberland forty miles above Nashville; thence along the said line to the river; thence up the said river to the ford where the Kentucky road crosses the river; thence to Campbell's line, near Cumberland gap; thence to the mouth of Claud's creek on Holstein; thence to the Chimney Top mountain; thence to Camp creek, near the mouth of Big Limestone, on Nolichucky; thence a southerly course six miles to a mountain; thence south to the North-Carolina line; thence to the South-Carolina Indian bound-

dry, and along the same south-west over the top of the Oconee mountain till it shall strike Tugalo river; thence a direct line to the top of the Currohee mountain; thence to the head of the south fork of Oconee river.

A R T I C L E V.

If any citizen of the United States, or other person not being an Indian, shall attempt to settle on any of the lands toward or southward of the said boundary which are hereby allotted to the Indians for their hunting grounds, having already settled and will not remove from the same within six months after the ratification of this treaty, such person shall forfeit the protection of the United States, and the Indians may punish him or not as they please: provided nevertheless, That this article shall not extend to the people settled between the fork of French Broad and Holstein rivers, whose particular situation shall be submitted to the United States in Congress assembled for their decision thereon, which the Indians agree to abide by.

A R T I C L E VI.

If any Indian or Indians, or person residing among them, who shall take refuge in their nation, shall commit a robbery, or murder, or other capital crime, on any citizen of the United States, or person under their protection, the nation, or the tribe to which such offender or offenders may belong, shall be bound to deliver him or them up to be punished according to the ordinances of the United States: provided, That the punishment shall not be greater than the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

A R T I C L E VII.

If any citizen of the United States, or person under their protection shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the murder, robbery, or other capital crime, had been committed by a citizen of the United States; and the punishment

shall be in presence of some of the Cherokees, if any shall attend at the time and place, and that they may have opportunity so to do, due notice of the time of such intended punishment shall be sent to some one of the tribes.

A R T I C L E VIII.

It is understood that the punishment of the innocent under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded by a demand of justice, and if refused, then by a declaration of hostilities.

A R T I C L E IX.

For the benefit and comfort of the Indians, and for prevention of injuries or oppressions on the part of citizens or Indians, the United States in Congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

A R T I C L E X.

Until the pleasure of Congress be known, respecting the ninth article, all traders, citizens of the United States shall have liberty to go to any of the tribes or towns of Cherokees to trade with them, and they shall be protected in their persons and property, and kindly treated.

A R T I C L E XI.

The said Indians shall give notice to the citizens of the United States, of any designs which they may know or suspect to be formed in any neighbouring tribe, or by any person whatsoever, against the peace, trade or interest of the United States.

A R T I C L E XII.

That the Indians may have full confidence in the justice of the United States, respecting their interest, they shall have the right to send a deputy of their choice, whenever they think fit, to Congress.

ARTICLE XIII.

The hatchet shall be forever buried, and the peace given by the United States, and friendship re-established between the said States on the one part, and all the Cherokees on the other, shall be universal; and the contracting parties shall use their utmost endeavours to maintain the peace given as aforesaid, and friendship re-established.

WITNESS of all and every thing herein determined, between the United States of America, and all the Cherokees, We their underwritten Commissioners, by virtue of our full powers have signed this definitive treaty, and have caused our seals to be hereunto affixed.

D O N E at Hopewell, on the Keowee, this twenty-eighth of November, in the year of our Lord one thousand seven hundred and eighty-five.

Benjamin Hawkins,	(L. S.)
Andrew Pickens,	(L. S.)
John Martin,	(L. S.)
John M'Intosh.	(L. S.)
Johnatohee, or Corn Tassel of Toquo, his X mark.	(L. S.)
Johnbolauetta, or	
Hanging Man of Chota,	his X mark. (L. S.)
Johnskegatabu, or	
Long Fellow of Chistohoe,	his X mark. (L. S.)
Johnskwaha, or	
Abraham of Chilkowa,	his X mark. (L. S.)
Johnlakusta, or Prince of Noth,	his X mark. (L. S.)
Johnswota, or	
The Gritzs of Chicamaga,	his X mark. (L. S.)
Johnomatota, or	
The Rising Fawn of Highwassay,	his X mark. (L. S.)
Johnuckasee, or	
Young Tartapin of Allajoy,	his X mark. (L. S.)
Johnoostaka, or	
The Waker of Oostanawa,	his X mark. (L. S.)
Johnntoola, or Gun Rod of Seteco,	his X mark. (L. S.)
Johnnsuokanail,	
Buffalo White Calf New Cussee,	his X mark. (L. S.)

<i>Koftaycak</i> , or			
Sharp Fellow Wataga,	his	X mark.	(L. 8)
<i>Chonofsa</i> , of Cowe,	his	X mark.	(L. 8)
<i>Chocoonwobo</i> ,			
Bird in close of Tomotlug,	his	X mark.	(L. 8)
<i>Tuckasee</i> , or Farrapin of Hightowa,	his	X mark.	(L. 8)
<i>Chesetoa</i> , or the Rabbit of Tlacoa,	his	X mark.	(L. 8)
<i>Chesecotetona</i> , or			
Yellow Bird of the Pine Log,	his	X mark.	(L. 8)
<i>Sketaloska</i> ,			
Second Man of Tillico,	his	X mark.	(L. 8)
<i>Chokafatabe</i> ,			
Chickafaw Killer Tafonta,	his	X mark.	(L. 8)
<i>Onanoota</i> , of Koofoatee,	his	X mark.	(L. 8)
<i>Cokofeta</i> , or			
Sower Muff of Kooloque,	his	X mark.	(L. 8)
<i>Umatcoetha</i> , the			
Water Hunter, Choikamawga,	his	X mark.	(L. 8)
<i>Wyuka</i> , of Lookout Mountain,	his	X mark.	(L. 8)
<i>Tulco</i> , or Tom of Chatuga,	his	X mark.	(L. 8)
<i>Will</i> , of Akoha,	his	X mark.	(L. 8)
<i>Necatee</i> , of Sawta,	his	X mark.	(L. 8)
<i>Amokontakona</i> , Kurcloa,	his	X mark.	(L. 8)
<i>Kowetatabee</i> , in Frog-Town,	his	X mark.	(L. 8)
<i>Keuluch</i> , Talkca,	his	X mark.	(L. 8)
<i>Tulatiska</i> , of Chaway,	his	X mark.	(L. 8)
<i>Weculuka</i> , the Way Layer, Chota,	his	X mark.	(L. 8)
<i>Tatiliusta</i> , or Porpus of Tilaffi,	his	X mark.	(L. 8)
<i>Jobn</i> . of Little Tallico,	his	X mark.	(L. 8)
<i>Skelelak</i> ,	his	X mark.	(L. 8)
<i>Akonohchta</i> , the Cabin,	his	X mark.	(L. 8)
<i>Chcanoka</i> , of Kawetakac,	his	X mark.	(L. 8)
<i>Yellow Bird</i> ,	his	X mark.	(L. 8)

WITNESS—Wm. Blount. Saml. Taylor, Major. Joh Owen. Jess Walton. Jno. Cowan, Capt. Commandan Thos. Gegg. W. Hazzard.—Sworn Interpreters—James Madifon, Arther Coodey.

O R I G I N A L

ARTICLES of a TREATY concluded at HOPEWELL, on the Keowee, near Seneca Old Town, between Benjamin Hawkins, Andrew Pickens and Joseph Martin, Commissioners Plenipotentiary of the UNITED STATES of AMERICA, of the one part; and Yockonahoma, great Medal Chief of Sooracoba; Yockahoopoie, leading Chief of Bugtoogoloo; Mingohoopoie, leading Chief of Hushooqua; Tobocoh, great Medal Chief of Congetoo; Poothemastubie, Gorget Captain of Senayazo; and thirteen small Medal Chiefs of the first Class, twelve Medal and Gorget Captains, Commissioners Plenipotentiary of all the CHOCTAW NATION, of the other part.

THE Commissioners Plenipotentiary of the United States of America give peace to all the Choctaw nation, and receive them into the favour and protection of the United States of America, on the following conditions.

A R T I C L E I.

The Commissioners Plenipotentiary of all the Choctaw nation, shall restore all the prisoners, citizens of the United States, or subjects of their allies, to their entire liberty, if any there be in the Choctaw nation. They shall also restore all the negroes, and all other property taken during the late war, from the citizens, to such person, and at such time and place as the Commissioners of the United States of America shall appoint, if any there be in the Choctaw nation.

A R T I C L E II.

The Commissioners Plenipotentiary of all the Choctaw nation, do hereby acknowledge the tribes and towns of the said nation, and the lands within the boundary allotted to the said Indians to live and hunt on, as mentioned in the third article, to be under the protection of the United States of America, and of no other sovereign whatsoever.

A R T I C L E III.

The boundary of the lands hereby allotted to the Choctaw nation to live and hunt on, within the limits of the

United States of America, is and shall be the following viz. Beginning at a point on the thirty-first degree north latitude, where the Eastern boundary of the Natchez district shall touch the same ; thence east along the said thirty-first degree of north latitude, being the southern boundary of the United States of America, until it shall strike the eastern boundary of the lands on which the Indians of the said nation did live and hunt on the twentieth of November, one thousand seven hundred and eighty-two, while they were under the protection of the King of Great-Britain ; thence northerly along the said eastern boundary, until it shall meet the northern boundary of the said lands ; thence westerly along the said northern boundary, until it shall meet the western boundary thereof ; thence southerly along the same to the beginning : saving and reserving for the establishment of trading posts three tracts or parcels of land of six miles square each, such places as the United States in Congress assembled shall think proper ; which posts, and the lands annexed to them shall be to the use and under the government of the United States of America.

ARTICLE IV.

If any citizen of the United States, or other person not being an Indian, shall attempt to settle on any of the lands hereby allotted to the Indians to live and hunt on, such person shall forfeit the protection of the United States of America, and the Indians may punish him or not as they please.

ARTICLE V.

If any Indian or Indians, or persons residing among them, or who shall take refuge in their nation, shall commit a robbery or murder or other capital crime on a citizen of the United States of America, or person under their protection, the tribe to which such offender may belong, or the nation, shall be bound to deliver him or them up to be punished according to the ordinances of the United States in Congress assembled : Provided that t

punishment shall not be greater than if the robbery or murder, or other capital crime had been committed by a citizen on a citizen.

A R T I C L E VI.

If any citizen of the United States of America, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the robbery or murder, or other capital crime had been committed on a citizen of the United States of America; and the punishment shall be in presence of some of the Choctaws, if any will attend at the time and place; and that they may have an opportunity so to do, due notice, practicable, of the time of such intended punishment shall be sent to some one of the tribes.

A R T I C L E VII.

It is understood that the punishment of the innocent, under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded, first by a demand of justice, and if refused, then by a declaration of hostilities.

A R T I C L E VIII.

For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in Congress assembled, shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

A R T I C L E IX.

Until the pleasure of Congress be known, respecting the eighth article, all traders, citizens of the United States of America, shall have liberty to go to any of the tribes or towns of the Choctaws, to trade with them, and they shall be protected in their persons and property, and kindly treated.

ARTICLE X.

The said Indians shall give notice to the citizens of the United States of America, of any designs which they may know or suspect to be formed in any neighbouring tribe or by any person whatsoever, against the peace, trade or interest of the United States of America.

ARTICLE XI.

The hatchet shall be forever buried, and the peace given by the United States of America, and Friendship re-established between the said states on the one part, and the Choctaw nation on the other part, shall be universal; and the contracting parties shall use their utmost endeavours to maintain the peace given as aforesaid, and friendship re-established.

IN WITNESS of all, and every thing herein determined between the United States of America and all the Choctaws, we their underwritten Commissioners, by virtue of our full powers have signed this definitive treaty, and have caused our seals to be hereunto affixed.

DONE at Hopewell, on the Kewee, this third day of January, in the year of our Lord one thousand seven hundred and eighty-six.

<i>Benjamin Hawkins,</i>		(L. S.
<i>Andw. Pickens,</i>		(L. S.
<i>Jos. Martin.</i>		(L. S.
<i>Tockenahoma,</i>	his X mark.	(L. S.
<i>Tockehoopie,</i>	his X mark.	(L. S.
<i>Mingohoopie,</i>	his X mark.	(L. S.
<i>Tobocoh,</i>	his X mark.	(L. S.
<i>Pooshemastuby,</i>	his X mark.	(L. S.
<i>Pooskahoma,</i>	his X mark.	(L. S.
<i>Tuscoocohoopie,</i>	his X mark.	(L. S.
<i>Shinshemastuby,</i>	his X mark.	(L. S.
<i>Tooopakooma,</i>	his X mark.	(L. S.
<i>Stosnokoohoopie,</i>	his X mark.	(L. S.
<i>Tchakubbay,</i>	his X mark.	(L. S.
<i>Pooshemastuby,</i>	his X mark.	(L. S.

<i>Tuskkaboomoch,</i>	his	X	mark.	(L. s.)
<i>Tusbkaboomoch,</i>	his	X	mark.	(L. s.)
<i>Toostenochba,</i>	his	X	mark.	(L. s.)
<i>Tootebooma,</i>	his	X	mark.	(L. s.)
<i>Toobenboomoch,</i>	his	X	mark.	(L. s.)
<i>Cshbecospoomoch,</i>	his	X	mark.	(L. s.)
<i>Stonukoobooioic,</i>	his	X	mark.	(L. s.)
<i>Tuskkabcegohta,</i>	his	X	mark.	(L. s.)
<i>Teshubenchloch,</i>	his	X	mark.	(L. s.)
<i>Poosbonaitla,</i>	his	X	mark.	(L. s.)
<i>Okancennosba,</i>	his	X	mark.	(L. s.)
<i>Autoonachuba,</i>	his	X	mark.	(L. s.)
<i>Pangekooloch,</i>	his	X	mark.	(L. s.)
<i>Steabee,</i>	his	X	mark.	(L. s.)
<i>Tenetebonna,</i>	his	X	mark.	(L. s.)
<i>Tusbkementabock,</i>	his	X	mark.	(L. s.)
<i>Tushtallay,</i>	his	X	mark.	(L. s.)
<i>Cshnaangchabba,</i>	his	X	mark.	(L. s.)
<i>Cunnopioic.</i>	his	X	mark.	(L. s.)

WITNESS—Wm. Blount, John Woods, Saml. Taylor, Robert Anderson, Benj. Lawrance, John Pitchlynn, James Cole, Interpreters.

O R I G I N A L

ARTICLES of a TREATY, concluded at HOPEWELL, on the Keowee, near Seneca Old Town, between Benjamin Hawkins, Andrew Pickins, and Joseph Martin, Commissioners Plenipotentiary of the UNITED STATES of AMERICA of the one part; and Piomingo, Head Warrior and First Minister of the Chickasaw Nation; Mingatushka, one of the Leading Chiefs; and Latopoia, First Beloved Man of the said Nation, Commissioners Plenipotentiary of all the CHICKASAWS, of the other part.

THE Commissioners Plenipotentiary of the United States of America give peace to the Chickasaw Nation, and receive them into the favour and protection of the said States, on the following conditions.

A a a

ARTICLE I.

The Commissioners Plenipotentiary of the Chickasaw nation, shall restore all the prisoners, citizens of the United States, to their entire liberty, if any there be in the Chickasaw nation. They shall also restore all the negroes and all other property taken during the late war, from the citizens; if any there be in the Chickasaw nation, such person, and at such time and place, as the Commissioners of the United States of America shall appoint.

ARTICLE II.

The Commissioners Plenipotentiary of the Chickasaw do hereby acknowledge the tribes and the towns of the Chickasaw nation, to be under the protection of the United States of America, and of no other sovereign whatsoever.

ARTICLE III.

The boundary of the lands hereby allotted to the Chickasaw nation to live and hunt on, within the limits of the United States of America, is and shall be the following viz. Beginning on the ridge that divides the waters running into the Cumberland, from those running into the Tennessee, at a point in a line to be run north-east, which shall strike the Tennessee, at the mouth of Duck river thence running westerly along the said ridge, till it shall strike the Ohio; thence down the southern banks thereof to the Mississippi; thence down the same, to the Choctaw line or Natches district; thence along the said line, the line of the district eastwardly as far as the Chickasaw claimed, and lived and hunted on, the twenty-ninth of November, one thousand seven hundred and eighty-two. Thence the said boundary eastwardly, shall be the lands allotted to the Choctaws and Cherokees to live and hunt on, and the lands at present in the possession of the Creeks; saving and reserving for the establishment of a trading post, a tract or parcel of land to be laid out at the lower post of the Muscle Shoals, at the mouth of Ocochappo, in a circle, the diameter of which shall be five miles.

te* river, which post, and the lands annexed thereto shall be to the use and under the government of the United States of America.

A R T I C L E IV.

If any citizen of the United States, or other person not being an Indian, shall attempt to settle on any of the lands hereby allotted to the Chickasaws to live and hunt on, such person shall forfeit the protection of the United States of America, and the Chickasaws may punish him or not they please.

A R T I C L E V.

If any Indian or Indians, or persons residing among them, or who shall take refuge in their nation, shall commit a robbery or murder, or other capital crime, on any citizen of the United States, or person under their protection, the tribe to which such offender or offenders may belong, or the nation, shall be bound to deliver him or them up to be punished according to the ordinances of the United States in Congress assembled: Provided that the punishment shall not be greater, than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

A R T I C L E VI.

If any citizen of the United States of America, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the robbery or murder or other capital crime had been committed on a citizen of the United States of America; and the punishment shall be in presence of some of the Chickasaws, if any will attend at the time and place, and that they may have an opportunity so to do, due notice, if practicable, of such intended punishment, shall be sent to some one of the tribes.

* The name of the river not in the original.

ARTICLE VII.

It is understood, that the punishment of the innocent under the idea of retaliation is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded, first by a demand of justice, and if refused, then by a declaration of hostilities.

ARTICLE VIII.

For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in Congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

ARTICLE IX.

Until the pleasure of Congress be known respecting the eighth article, all traders, citizens of the United States shall have liberty to go to any of the tribes or towns of the Chickasaws to trade with them, and they shall be protected in their persons and property, and kindly treated.

ARTICLE X.

The said Indians shall give notice to the citizens of the United States of America, of any designs which they may know or suspect to be formed in any neighbouring tribe or by any person whatsoever, against the peace, trade or interests of the United States of America.

ARTICLE XI.

The hatchet shall be forever buried, and the peace given by the United States of America, and friendship re-established between the said States on the one part, and the Chickasaw nation on the other part, shall be universal and the contracting parties shall use their utmost endeavours to maintain the peace given as aforesaid, and friendship re-established.

IN WITNESS of all and every thing herein contained, between the said States and Chickasaws, We their underwritten Commissioners, by virtue of our full powers, have signed this definitive treaty, and have caused our seals to be hereunto affixed.

D O N E at Hopewell, on the Keowee, this tenth day of January, in the year of our Lord, one thousand seven hundred and eighty-six.

<i>Benjamin Hawkins,</i>		(L. S.)
<i>Andw. Pickens,</i>		(L. S.)
<i>Jos. Martin.</i>		(L. S.)
<i>Piomingo,</i>	his X mark.	(L. S.)
<i>Mingatushka,</i>	his X mark.	(L. S.)
<i>Latopoa.</i>	his X mark.	(L. S.)

WITNESS—Wm. Blount, Wm. Hazzard, Sam. Taylor, James Cole, Sworn Interpreter.

O R I G I N A L

ARTICLES of a TREATY concluded at the Mouth of the GREAT MIAMI, on the north-western Bank of the Ohio, the thirty-first day of January, one thousand seven hundred and eighty-six, between the Commissioners Plenipotentiary of the UNITED STATES of AMERICA, of the one Part, and the Chiefs and Warriors of the SHAWANOE Nation, of the other part.

A R T I C L E I.

THREE hostages shall be immediately delivered to the Commissioners, to remain in the possession of the United States until all the prisoners, white and black, taken in the late war from among the citizens of the United States, by the Shawanoe nation, or by any other Indian or Indians residing in their towns, shall be restored.

A R T I C L E II.

The Shawanoe nation, do acknowledge the United States to be the sole and absolute sovereigns of all the territory ceded to them by a treaty of peace, made between

them and the King of Great Britain, the fourteenth d
of January one thousand seven hundred and eighty-four

A R T I C L E III.

If any Indian or Indians of the Shawanoe nation, or a
other Indian or Indians residing in their towns, shall co
mit murder or robbery on, or do any injury to the citize
of the United States, or any of them, that nation shall
liver such offender or offenders to the officer commar
ing the nearest post of the United States, to be punish
according to the ordinances of Congress; and in li
manner, any citizen of the United States, who shall do
injury to any Indian of the Shawanoe nation, or to a
other Indian or Indians residing in their towns, and unc
their protection, shall be punished according to the laws
the United States.

A R T I C L E IV.

The Shawanoe nation having knowledge of the inter
on of any nation or body of Indians to make war on t
citizens of the United States, or of their counfelling
gether for that purpose, and neglecting to give inform
tion thereof to the commanding officer of the nearest p
of the United States, shall be considered as parties in fu
war, and be punished accordingly: and the United Stat
shall in like manner inform the Shawanoes of any inju
designed against them.

A R T I C L E V.

The United States do grant peace to the Shawanoe n
tion, and do receive them into their friendship and prote
tion.

A R T I C L E VI.

The United States do allot to the Shawanoe natio
lands within their territory to live and hunt upon, b
ginning at the south line of the lands allotted to the W
andots and Delaware nations, at the place where the ma
branch of the Great Miami which falls into the Ohio i
tersects said line; then down the river Miami, to the for

that river, next below the old fort which was taken by the French in one thousand seven hundred and fifty-two; thence due west to the river de la Panse; then down that river to the river Wabash, beyond which lines none of the citizens of the United States shall settle; nor disturb the Shawanoes in their settlement and possessions; and the Shawanoes do relinquish to the United States, all title, or pretence of title, they ever had to the lands east, west and south, of the east, west and south lines before described.

A R T I C L E VII.

If any citizen or citizens of the United States, shall presume to settle upon the lands allotted to the Shawanoes by this treaty, he or they shall be put out of the protection of the United States.

IN TESTIMONY whereof, the Parties hereunto have affixed their hands and seals, the day and year first above-mentioned.

<i>G. Clark,</i>		(L. S.)
<i>Richard Butler,</i>		(L. S.)
<i>Saml. H. Parsons.</i>		(L. S.)
<i>Aweccoony,</i>	his X mark.	(L. S.)
<i>Kakawipilathy,</i>	his X mark.	(L. S.)
<i>Malunthy,</i>	his X mark.	(L. S.)
<i>Musquauconocab,</i>	his X mark.	(L. S.)
<i>Meanymsfecab,</i>	his X mark.	(L. S.)
<i>Waupaucowela,</i>	his X mark.	(L. S.)
<i>Nibipceewa,</i>	his X mark.	(L. S.)
<i>Nibinesficoe.</i>	his X mark.	(L. S.)

Attest.—*Alexander Campbell,* Sec'ry Commissioners.

W I T N E S S E S.

Finney, Maj. B. B.
Jos. Doyle, Capt. B. B.
Nathan M'Dowell, Ensign.
John Saffenger,
Henry Gory,
Agay Gallogway, his X mark.
John Boggs,

Sam. Montgomery,

Daniel Elliot,

James Rinker,

Nathl. Smith,

Joseph Suffrein, his X mark, or *Kemepemo Shawno.*

Isaac Zane, (Wiandot) his X mark.

The Half King of the Wiandots, }
The Crane of the Wiandots, } their X mark.

Capt. Pipe of the Delawares, his X mark.

Capt. Behongehelas, his X mark.

Tetchocksbieka, his X mark.

The Big Cat of the Delawares, his X mark.

Pierre Droullar.

TREATY of PEACE and FRIENDSHIP *between the*
 United States of America, and His Imperial Majesty the
 Emperor of Morocco.

To all Persons to whom these Presents shall come or be made known.

WHEREAS the United States of America in Congress assembled, by their commission bearing date the twelfth day of May, one thousand seven hundred and eighty-four, thought proper to constitute John Adam Benjamin Franklin, and Thomas Jefferson, their Ministers Plenipotentiary, giving to them, or a majority of their full powers to confer, treat and negotiate with the Ambassador, Minister, or Commissioner of his Majesty the Emperor of Morocco, concerning a treaty of amity and commerce; to make and receive propositions for such treaty, and to conclude and sign the same, transmitting to the United States in Congress assembled, for their final ratification; and by one other commission bearing date the eleventh day of March, one thousand seven hundred and eighty-five, did further empower the said Ministers Plenipotentiary, or a majority of them, by writing under their hands and seals to appoint such agent in the said business as they might think proper, with authority under the directions and instructions of the said Ministers, to commence and prosecute the said negotiations and conferences

es for the said treaty, provided that the said treaty should be signed by the said Ministers : And whereas we the said John Adams and Thomas Jefferson, two of the said Ministers Plenipotentiary (the said Benjamin Franklin being absent) by writing under the hand and seal of the said John Adams at London, October the fifth, one thousand seven hundred and eighty-five, and of the said Thomas Jefferson at Paris, October the eleventh of the same year, did appoint Thomas Barclay, agent in the business aforesaid, giving him the powers therein, which by the said second commission we were authorized to give, and the said Thomas Barclay, in pursuance thereof, hath arranged articles for a treaty of amity and commerce between the United States of America, and his Majesty the Emperor of Morocco, which articles, written in the Arabic language, confirmed by his said Majesty the Emperor of Morocco, and sealed with his royal seal, being translated into the language of the said United States of America, together with the attestations thereto annexed, are in the following words, to wit :



In the Name of ALMIGHTY GOD.

THIS is a Treaty of Peace and Friendship established between us and the United States of America, which is confirmed, and which we have ordered to be written in this book, and sealed with our royal seal, at our court of Morocco, on the twenty-fifth day of the blessed month of Raban, in the year one thousand two hundred, trusting in God it will remain permanent.

A R T I C L E I.

We declare that both parties have agreed that this treaty, consisting of twenty-five articles, shall be inserted in this book, and delivered to the Honorable Thomas

Barclay, the agent of the United States now at our court with whose approbation it has been made, and who duly authorized on their part to treat with us concerning all the matters contained therein.

ARTICLE II.

If either of the parties shall be at war with any nation whatever, the other party shall not take a commission from the enemy, nor fight under their colours.

ARTICLE III.

If either of the parties shall be at war with any nation whatever, and take a prize belonging to that nation, and there shall be found on board subjects or effects belonging to either of the parties, the subjects shall be set at liberty and the effects returned to the owners. And if any goods belonging to any nation, with whom either of the parties shall be at war, shall be loaded on vessels belonging to the other party, they shall pass free and unmolested, without any attempt being made to take or detain them.

ARTICLE IV.

A signal or pass shall be given to all vessels belonging to both parties, by which they are to be known when they meet at sea; and if the commander of a ship of war of either party shall have other ships under his convoy, the declaration of the commander shall alone be sufficient to exempt any of them from examination.

ARTICLE V.

If either of the parties shall be at war, and shall meet a vessel at sea belonging to the other, it is agreed, that if an examination is to be made, it shall be done by sending a boat with two or three men only; and if any gun shall be fired, and injury done without reason, the offending party shall make good all damages.

ARTICLE VI.

If any Moor shall bring citizens of the United States or their effects, to his Majesty, the citizens shall immediately be set at liberty, and the effects restored; and in like

manner, if any Moor, not a subject of these dominions, shall make prize of any of the citizens of America, or their effects, and bring them into any of the ports of his Majesty, they shall be immediately released, as they will then be considered as under his Majesty's protection.

ARTICLE VII.

If any vessel of either party shall put into a port of the other, and have occasion for provisions or other supplies, they shall be furnished without any interruption or molestation.

ARTICLE VIII.

If any vessel of the United States shall meet with a disaster at sea, and put into one of our ports to repair, she shall be at liberty to land and re-load her cargo, without paying any duty whatever.

ARTICLE IX.

If any vessel of the United States shall be cast on shore on any part of our coasts, she shall remain at the disposition of the owners, and no one shall attempt going near her without their approbation, as she is then considered particularly under our protection; and if any vessel of the United States shall be forced to put into our ports by stress of weather, or otherwise, she shall not be compelled to land her cargo, but shall remain in tranquillity until the commander shall think proper to proceed on his voyage.

ARTICLE X.

If any vessel of either of the parties shall have an engagement with a vessel belonging to any of the Christian powers within gun shot of the forts of the other, the vessel so engaged shall be defended and protected as much as possible until she is in safety; and if any American vessel shall be cast on shore on the coast of Wadnoon, or any coast thereabout, the people belonging to her shall be protected and assisted, until, by the help of God, they shall be sent to their country.

ARTICLE XI.

If we shall be at war with any Christian power, and any of our vessels sail from the ports of the United States, no vessel belonging to the enemy shall follow until twenty four hours after the departure of our vessels; and the same regulation shall be observed towards the American vessel sailing from our ports, be their enemies Moors or Christians.

ARTICLE XII.

If any ship of war belonging to the United States shall put into any of our ports, she shall not be examined on any pretence whatever, even though she should have fugitive slaves on board, nor shall the governor or commander of the place compel them to be brought on shore on any pretext, nor require any payment for them.

ARTICLE XIII.

If a ship of war of either party shall put into a port of the other and salute, it shall be returned from the fort with an equal number of guns, not with more or less.

ARTICLE XIV.

The commerce with the United States shall be on the same footing as is the commerce with Spain, or as that with the most favoured nation for the time being; and the citizens shall be respected and esteemed, and have full liberty to pass and repass our country and seaports whenever they please, without interruption.

ARTICLE XV.

Merchants of both countries shall employ only such interpreters, and such other persons to assist them in their business, as they shall think proper. No commander of a vessel shall transport his cargo on board another vessel he shall not be detained in port longer than he may think proper; and all persons employed in loading or unloading goods, or in any other labour whatever, shall be paid at the customary rates, not more and not less.

ARTICLE XVI.

In case of a war between the parties, the prisoners are not to be made slaves, but to be exchanged one for another, captain for captain, officer for officer, and one private man for another; and if there shall prove a deficiency on either side, it shall be made up by the payment of one hundred Mexican dollars for each person wanting. And it is agreed that all prisoners shall be exchanged in twelve months from the time of their being taken, and that this exchange may be effected by a merchant or any other person authorized by either of the parties.

ARTICLE XVII.

Merchants shall not be compelled to buy or sell any kind of goods but such as they shall think proper; and may buy and sell all sorts of merchandize but such as are prohibited to the other Christian nations.

ARTICLE XVIII.

All goods shall be weighed and examined before they be sent on board, and to avoid all detention of vessels, no examination shall afterwards be made, unless it shall first be proved that contraband goods have been sent on board, in which case the persons who took the contraband goods on board, shall be punished according to the usage and custom of the country, and no other person whatever shall be injured, nor shall the ship or cargo incur any penalty or damage whatever.

ARTICLE XIX.

No vessel shall be detained in port on any pretence whatever, nor be obliged to take on board any article without the consent of the commander, who shall be at full liberty to agree for the freight of any goods he takes on board.

ARTICLE XX.

If any of the citizens of the United States, or any persons under their protection, shall have any disputes with

each other, the consul shall decide between the parties; and whenever the consul shall require any aid or assistance from our government, to enforce his decisions, it shall immediately be granted to him.

ARTICLE XXI.

If a citizen of the United States should kill or wound a Moor, or on the contrary if a Moor shall kill or wound a citizen of the United States, the law of the country shall take place, and equal justice shall be rendered, the consuls assisting at the trial; and if any delinquent shall make his escape, the consul shall not be answerable for him in any manner whatever.

ARTICLE XXII.

If an American citizen shall die in our country, and his will shall appear, the consul shall take possession of his effects, and if there shall be no consul, the effects shall be deposited in the hands of some person worthy of trust until the party shall appear who has a right to demand them, but if the heir to the person deceased be present, the property shall be delivered to him without interruption; and if a will shall appear, the property shall descend according to that will, as soon as the consul shall declare the validity thereof.

ARTICLE XXIII.

The Consuls of the United States of America, shall reside in any sea-port of our dominions that they shall think proper; and they shall be respected, and enjoy all the privileges which the consuls of any other nation enjoy; and if any of the citizens of the United States shall contract any debts or engagements, the consul shall not be in any manner accountable for them, unless he shall have given a promise in writing for the payment or fulfillment thereof, without which promise in writing, no application to him for any redress shall be made.

ARTICLE XXIV.

If any differences shall arise by either party infringing on any of the articles of this treaty, peace and harmony shall

remain notwithstanding, in the fullest force, until a friendly application shall be made for an arrangement, and until that application shall be rejected, no appeal shall be made on terms. And if a war shall break out between the parties, twelve months shall be granted to all the subjects of both parties, to dispose of their effects and retire with their property. And it is further declared, that whatever indulgences in trade or otherwise, shall be granted to any of the Christian Powers, the citizens of the United States shall be equally entitled to them.

ARTICLE XXV.

This treaty shall continue in full force, with the help of God, for fifty years.

We have delivered this book into the hands of the before-mentioned Thomas Barclay, on the first day of the blessed month of Ramadan, in the year one thousand two hundred.

I certify that the annexed is a true copy of the translation made by Isaac Cardoza Nunez, interpreter at Morocco, of the treaty between the Emperor of Morocco, and the United States of America.

THOMAS BARCLAY.

ADDITIONAL ARTICLE.

Grace to the only God.

I, the under-written, the servant of God, Taher Ben Abdelkack Fennish, do certify, that His Imperial Majesty, my master, (whom God preserve) having concluded a treaty of peace and commerce with the United States of America, has ordered me, the better to compleat it, and in addition of the tenth article of the treaty, to declare, That if any vessel belonging to the United States, shall be in any of the ports of his Majesty's dominions, or within gun-shot of his forts, she shall be protected as much as possible; and no vessel whatever, belonging either to Moorish or Christian Powers, with whom the United

“ States may be at war, shall be permitted to follow or
 “ gage her, as we now deem the citizens of America/o
 “ good friends.”

And, in obedience to his Majesty's commands, I cert
 this declaration, by putting my hand and seal to it, on t
 eighteenth day of Ramadan,* in the year one thousa
 two hundred.

The servant of the King, my Master, whom God prefer

TAHER BEN ABDELKACK FENNISH.

*I do certify that the above is a true copy of the tra
 lation made at Morocco, by Isaac Cardoza Nunez, interpret
 of a declaration made and signed by Sidi Hage Taber Fenn
 in addition to the treaty between the Emperor of Morocco
 the United States of America, which declaration the said Ta
 Fennish made by the exprefs directions of his Majesty.*

THOMAS BARCLAY.

Now KNOW YE, That we the said John Adams a
 Thomas Jefferson, Ministers Plenipotentiary aforesaid,
 approve and conclude the said treaty, and every arti
 and clause therein contained, reserving the same nevert
 less to the United States in Congress assembled for th
 final ratification.

*In testimony whereof, we have signed the same with
 names and seals, at the places of our respective residen
 and at the dates expressed under our signatures resp
 tively.*

JOHN ADAMS, (L. S.)
 London, January 25th, 1787.

THOMAS JEFFERSON, (L. S.)
 Paris, January 1st, 1787.

NOTE.

* The Ramadan of the year of the Hegira 1200, commenced on the
 June, in the year of our Lord, 1786.

TRANSLATION.

ORIGINAL.

CONVENTION *between* His Most Christian Majesty and the United States of America, for the Purpose of defining and establishing the Functions, and Privileges of their respective Consuls and Vice-Consuls.

CONVENTION *entre le Roi* très Chrétien, et les Etats Unis, de l'Amérique, à l'effet de déterminer et fixer les fonctions et prérogatives des Consuls et Vice-Consuls respectifs.

HIS Majesty the Most Christian King and United States of America, having by the twentieth article of the treaty of amity and commerce concluded between them, mutually granted the liberty of trading in their respective ports, consuls, vice-consuls, agents and commissaries, and being willing in consequence thereof to define and establish in a reciprocal and permanent manner, the functions and privileges of consuls and vice-consuls, which they have judged it convenient to establish of preference, His Most Christian Majesty has nominated the Sieur Count Montmorin, of St. Herent, Marechal of his Camps and Armies, Knight of his orders and of the Golden Eeuce, his Counsellor in all his Councils, Minister and Secretary of State, and of

SA Majesté le Roi très Chrétien, et les Etats Unis de l'Amérique, s'étant accordés mutuellement par l'art. XXIX. du traité d'amitié et de commerce conclu entr'eux, la liberté de tenir dans leurs Etats et ports respectifs, des consuls et vice-consuls, agens et commissaires, et voulant en conséquence déterminer et fixer d'une manière réciproque et permanente, les fonctions et prérogatives des consuls et vice-consuls qu'ils ont jugé convenable d'établir de préférence, sa Majesté très Chrétienne a nommé le Sieur Comte de Montmorin de St. Herent, maréchal de ses camps et armées, chevalier de ses ordres et de la toison d'or, son conseiller en tous ses conseils, ministre et secrétaire d'état et de ses commandemens et finances, aiant le département des affaires étrangères; et les Etats

of his Commandments and Finances, having the Department of Foreign Affairs; and the United States have nominated the Sieur Thomas Jefferson, citizen of the United States of America, and their Minister Plenipotentiary near the King, who after having communicated to each other their respective full powers, have agreed on what follows :

ARTICLE I.

The consuls and vice-consuls named by the Most Christian King and the United States, shall be bound to present their commissions according to the forms which shall be established respectively by the Most Christian King within his dominions, and by the Congress within the United States. There shall be delivered to them, without any charges, the *exequatur* necessary for the exercise of their functions; and on exhibiting the said *exequatur*, the governors, commanders, heads of justice, bodies corporate, tribunals and other officers having authority in the ports and places of their consulates, shall cause them to enjoy immediately, and

Unis ont nommé le Sieur Thomas Jefferson, citoyen des Etats Unis de l'Amérique, et leur ministre plénipotentiaire auprès du Roi lesquels, après s'être communiqué leurs pleinpouvoirs respectifs sont convenus de ce qui suit.

ARTICLE I.

Les consuls et vice-consuls nommés par le Roi très chrétien et les Etats Unis seront tenus de présenter leurs pouvoirs selon la forme qui trouvera établie respectivement par le Roi très Chrétien dans ses Etats, et par le Congrès dans les Etats Unis. On leur délivrera sans aucuns frais l'*exequatur* nécessaire à l'exercice de leurs fonctions, et sur l'exhibition qu'ils feront du dit *exequatur*, les gouverneurs, commandans, chefs de justice, les corps tribunaux ou autres officiers aiant autorité dans les ports et lieux de leurs consulats les y feront jouir aussitôt et sans difficulté des prééminences, autorités, et privilèges accordés réciproquement, sans qu'

without difficulty, the pre-
 eminences, authority and pri-
 vileges, reciprocally granted,
 without exacting from the
 said consuls and vice-consuls
 any fee, under any pretext
 whatever.

ARTICLE II.

The consuls and vice-con-
 suls, and persons attached to
 their functions—that is to
 say: Their chancellors and
 secretaries shall enjoy a full
 and entire immunity for
 their chancery and the pa-
 pers which shall be therein
 contained. They shall be
 exempt from all personal
 service, from soldiers billets,
 militia, watch, guard, guar-
 dianship, trustee-ship, as well
 as from all duties, taxes,
 impositions and charges
 whatsoever, except on the
 estate real and personal of
 which they may be the pro-
 prietors or possessors, which
 shall be subject to the taxes
 imposed on the estates of all
 other individuals. And in
 all other instances they shall
 be subject to the laws of the
 land and as the natives are.
 Those of the said consuls and
 vice-consuls who shall exer-
 cise commerce shall be re-
 spectively subject to all taxes,
 charges and impositions esta-

puissent éxiger des dits con-
 suls et vice-consuls aucun
 droit sous aucun prétexte
 quelconque.

ARTICLE II.

Les consuls et vice-consuls
 et les personnes attachées à
 leurs fonctions, savoir, leurs
 chancéliers et secrétaires,
 jouiront d'une pleine et en-
 tière immunité pour leur
 chancellerie et les papiers qui
 y seront renfermes. Ils se-
 ront exemts de tout service
 personnel, logement des gens
 de guerre, milice, guet,
 garde, tutelle, curatelle, ainsi
 que de tous droits, taxes, im-
 positions et charges quelcon-
 ques, à l'exception seule-
 ment des biens meubles et
 immeubles dont ils seroient
 propriétaires ou possesseurs,
 lesquels seront assujettis aux
 taxes imposées sur ceux de
 tous autres particuliers, et à
 tous égards ils demeureront
 sujets aux loix du pais com-
 me les nationaux. Ceux
 des dits consuls et vice-con-
 suls qui seront le commerce
 seront respectivement assu-
 jettis à toutes les taxes, char-
 ges et impositions établies
 sur les autres négociants. Ils

blished on other merchants. They shall place over the outward door of their house the arms of their sovereign ; but this mark of indication shall not give to the said house any privilege of asylum for any person or property whatsoever.

ARTICLE III.

The respective consuls and vice-consuls may establish agents in the different ports and places of their departments where necessity shall require. These agents may be chosen among the merchants, either national or foreign, and furnished with a commission from one of the said consuls : They shall confine themselves respectively to the rendering to their respective merchants, navigators and vessels, all possible service, and to inform the nearest consul of the wants of the said merchants, navigators and vessels, without the said agents otherwise participating in the immunities, rights and privileges attributed to consuls and vice-consuls, and without power under any pretext whatever to exact from the the said merchants any duty or emolument whatsoever.

ARTICLE III.

Les consuls et vice-consuls respectifs pourront établir des agents dans les différents ports et lieux de leurs départements où le besoin l'exigera ; ces agents pourront être choisis parmi les négociants nationaux, étrangers, et munis de la commission de l'un des dits consuls. Ils se renfermeront respectivement à rendre aux commerçants, navigateurs, bâtiments respectifs, tous les services possibles, et à informer le consul le plus proche des besoins des dits commerçants, navigateurs et bâtiments, sans que les dits agents puissent autrement participer aux immunités, droits et privilèges attribués aux consuls et vice-consuls, et sans pouvoir sous aucun prétexte que ce soit, exiger aucun droit ou émolument quelconque des dits commerçants.

ARTICLE IV.

The consuls and vice-consuls respectively may establish a chancery, where shall be deposited the consular determinations, acts and proceedings, as also testaments, obligations, contracts, and other acts done by or between persons of their nation, and effects left by deceased persons, or saved from wreck. They may consequently appoint fit persons to act in the said chancery, receive and swear them, commit to them the custody of the seal, and authority to seal-commissions, sentences and other consular acts, and also to discharge the functions of notary and register of the consulate.

ARTICLE V.

The Consuls and Vice-consuls respectively shall have the exclusive right of receiving in their chancery, on board of vessels, the declarations and all other the acts, which the captains, masters, crews, passengers, and merchants of their nation may choose to make there, even their testaments and other disposals by last will :

ARTICLE IV.

Les consuls et vice-consuls respectifs pourront établir une chancellerie où seront déposés les délibérations, actes et procédures consulaires, ainsi que les testaments, obligations, contrats, et autres actes faits par les nationaux ou entr'eux, et les effets délaissés par mort, ou sauvés des naufrages. Ils pourront en conséquence commettre à l'exercice de la dite chancellerie des personnes capables, les recevoir, leur faire prêter serment, leur donner la garde du sceau et le droit de sceller les commissions, jugements et autres actes consulaires, ainsi que d'y remplir les fonctions de notaire et greffiers du consulat.

ARTICLE V.

Les consuls et vice-consuls respectifs auront le droit exclusif de recevoir dans leur chancellerie, ou à bord des bâtimens, les déclarations et tous les autres actes que les capitaines, patrons, équipages, passagers, et négociants de leur nation voudront y passer, même leur testament et autres dispositions de dernière volonté, et les disposi-

And the copies of the said acts, duly authenticated by the said consuls or vice-consuls, under the seal of their consulate, shall receive faith in law, equally as their originals would, in all the tribunals of the dominions of the Most Christian King, and of the United States. They shall also have, and exclusively, in case of the absence of the testamentary executor, administrator or legal heir, the right to inventory, liquidate and proceed to the sale of the personal estate left by subjects or citizens of their nation, who shall die within the extent of their consulate; they shall proceed therein with the assistance of two merchants of their said nation, or for want of them, of any other at their choice, and shall cause to be deposited in their chancery, the effects and papers of the said estates; and no officer, military, judiciary, or of the police of the country, shall disturb them or interfere therein, in any manner whatsoever: but the said consuls and vice-consuls shall not deliver up the said effects, nor the proceeds thereof, to the lawful heirs, or to their order, till they

tions des dits actes dûement légalisés par les dits consuls ou vice-consuls, et munis du sceau de leur consulat, feroient les originaux dans tous les tribunaux des états du Roi très Chrétien et des Etats Unis. Ils auront autorité et exclusivement, en cas d'absence d'exécuteur testamentaire curateur ou héritiers légitimes, le droit de faire l'inventaire, la liquidation et de procéder à la vente des effets mobiliers de la succession des sujets ou citoyens de leur nation qui viendront à mourir dans l'étendue de leur consulate. Ils y procéderont avec l'assistance de deux négocians de leur dite nation, ou à leur défaut, de tout autre à leur choix, et feront déposer dans leur chancellerie les effets papiers des dites successions sans qu'aucuns officiers militaires, de justice, ou de police du pais, puissent les troubler, ni y intervenir de quelque manière que ce soit; mais les dits consuls et vice-consuls ne pourront faire la délivrance des successions de leur produit aux héritiers légitimes, ou à leurs mandataires, qu'après avoir fait quitter toutes les dettes qu'

shall have caused to be paid all debts which the deceased shall have contracted in the country; for which purpose the creditors shall have a right to attach the said effects in their hands, as they might in those of any other individual whatever, and proceed to obtain sale of them till payment of what shall be lawfully due to them. When the debts shall not have been contracted by judgment, deed or note, the signature whereof shall be known, payment shall not be ordered but on the creditor's giving sufficient surety, resident in the country, to refund the sums he shall have duly received, principal, interest and costs; which surety nevertheless shall be duly discharged, after the term of one year in time of peace, and of two in time of war, if the demand in discharge cannot be formed before the end of this term against the heirs who shall present themselves. And in order that the heirs may not be unjustly kept out of the effects of the deceased, the consuls and vice-consuls shall notify his death in some one of the gazettes published within their consulate,

les défunts auront pu avoir contractées dans le pais, à l'effet de quoi les créanciers auront droit de saisir les dits effets dans leurs mains, de même que dans celles de tout autre individu quelconque, et en poursuivre la vente jusqu'au paiement de ce qui leur sera légitimement dû; lorsque les dettes n'auront été contractées par jugement, par acte, ou par billet dont la signature sera reconnue, le paiement ne pourra en être ordonné qu'en fournissant par le créancier caution suffisante et domiciliée de rendre les sommes induëment perçues principal, intérêts et fraix; lesquelles cautions cependant demeureront dûement déchargées après une année, en tems de paix, et deux, en tems de guerre, si la demande en décharge ne peut être formée avant ces délais contre les héritiers qui se présenteront. Et afin de ne pas faire injustement attendre aux héritiers les effets du défunt, les consuls et vice-consuls feront annoncer sa mort dans quelque une des gazettes qui se publient dans l'étendue de leur consulat, et qu'ils retiendront les dits effets sous leurs mains pendant quatre

and that they shall retain the said effects in their hands four months to answer all demands which shall be presented; and they shall be bound after this delay to deliver to the persons succeeding thereto, what shall be more than sufficient for the demands which shall have been formed.

ARTICLE VI.

The consuls and vice-consuls respectively shall receive the declarations, protests and reports of all captains and masters of their respective nation on account of average losses sustained at sea: and these captains and masters shall lodge in the chancery of the said consuls and vice-consuls, the acts which they may have made in other ports on account of the accidents which may have happened to them on their voyage. If a subject of the Most Christian King and a citizen of the United States, or a foreigner, are interested in the said cargo, the average shall be settled by the tribunals of the country, and not by the consuls or vice-consuls; but when only the subjects or citizens of their own nation shall be

mois, pour répondre à toutes les demandes qui se présenteront: et ils seront tenus après ce délai, de délivrer aux héritiers l'excédent du montant des demandes qui auront été formées.

ARTICLE VI.

Les consuls et vice-consuls respectifs recevront les déclarations, protestations, rapports de tous capitaines et patrons de leur nation respective pour raison d'avarie esluées à la mer, et ces capitaines et patrons remettront dans la chancellerie desdits consuls et vice-consuls les actes qu'ils auront faits dans d'autres ports pour les accidents qui leur seront arrivés pendant leur voyage. Si un sujet du Roi très Chrétien et un habitant des États-Unis, ou un étranger sont intéressés dans la dite cargaison, l'avarie sera réglée par les tribunaux du pays, non par les consuls et vice-consuls, mais lorsqu'il n'aura d'intéressés que les sujets ou citoyens de leur propre nation, les consuls ou vice-consuls respectifs nor

interested, the respective consuls or vice-consuls shall appoint skilful persons to settle the damages and average.

ARTICLE VII.

In cases where, by tempest or other accident, French ships or vessels shall be stranded on the coasts of the United States, and ships or vessels of the United States shall be stranded on the coasts of the dominions of the Most Christian King, the consul or vice-consul nearest to the place of shipwreck shall do whatever he may judge proper, as well for the purpose of saving the said ship or vessel, its cargo and appurtenances, as for the storing and the security of the effects and merchandise saved. He may take an inventory of them, without the intermeddling of any officers of the military, of the customs, of justice or of the police of the country, otherwise than give to the consuls, vice-consuls, captain and crew of the vessel shipwrecked or stranded, all the succour and favour which they shall ask of them, either for the expedition and security of the saving and of the effects saved, or to prevent all dis-

meront des experts pour régler les dommages et avaries.

ARTICLE VII.

Dans le cas où, par tempête, ou autres accidents, des vaisseaux ou bâtimens Français échouëront sur les côtes des États Unis, et des vaisseaux et bâtimens des États Unis échouëront sur les côtes des États de sa Majesté très Chrétienne, le consul ou le vice-consul, le plus proche du lieu du naufrage, pourra faire tout ce qu'il jugera convenable, tant pour sauver le dit vaisseau ou bâtiment, son chargement et appartenances, que pour le magazinage et la sûreté des effets sauvés et marchandises. Il pourra en faire l'inventaire, sans qu'aucuns officiers militaires, des douanes, de justice ou de police du pais, puissent s'y immiscer autrement que pour faciliter aux consuls et vice-consuls, capitaine et équipage du vaisseau naufragé, ou échoué, tous les secours et faveurs qu'ils leur demanderont, soit pour la célérité, et la sûreté du sauvétage et des effets sauvés, soit pour éviter tous défordres. Pour

turbance. And in order to prevent all kind of dispute and discussion in the said cases of shipwreck, it is agreed, that when there shall be no consul or vice-consul to attend to the saving of the wreck, or that the residence of the said consul or vice-consul (he not being at the place of the wreck) shall be more distant from the said place than that of the competent judge of the country, the latter shall immediately proceed therein, with all the dispatch, certainty and precautions prescribed by the respective laws; but the said territorial judge shall retire on the arrival of the consul or vice-consul, and shall deliver over to him the report of his proceedings, the expences of which the consul or vice-consul shall cause to be reimbursed to him, as well as those of saving the wreck. The merchandise and effects saved shall be deposited in the nearest custom-house, or other place of safety, with the inventory thereof which shall have been made by the consul or vice-consul, or by the judge who shall have proceeded in their absence, that the said effects and merchan-

prevenir même toute espèce de conflit et de discussion dans les dits cas de naufrage il a été convenû que lorsqu'il ne se trouvera pas de consul ou vice-consul pour faire travailler au sauvétage, que la résidence du dit consul ou vice-consul, qui ne trouvera pas sur le lieu de naufrage, sera plus éloignée du dit lieu que celle du juge territorial compétent, ce dernier fera procéder sur le champ avec toute la célérité et les précautions prescrites par les lois respectives, sauf au dit juge territorial à se retirer, le consul ou vice-consul survenant, à lui remettre l'expédition des procédures par lui faites dont le consul ou vice-consul lui fera rembourser les frais, ainsi que ceux du sauvétage. Les marchandises et effets sauvés devront être déposés à la douane ou au lieu de sûreté le plus prochain avec l'inventaire qui en aura été dressé par le consul ou vice-consul, ou en leur absence par le juge compétent en aura connu pour les effets et marchandises et ensuite délivrés après le paiement des frais, et sous forme de procès, aux propriétaires, qui, munis de

de may be afterwards de-bered, (after levying there- from the costs) and without form of process, to the owner, who being furnished with an order for their delivery, from the nearest consul or vice-consul, shall receive them by themselves, or by their order, either for the purpose of re-exporting the merchandise, in which case they shall pay no kind of duty of exportation, or that of selling them in the country, if they be not prohibited there; and in the last case, the said merchandise, if they be damaged, shall be allowed an abatement of entrance duties, proportioned to the damage they have sustained, which shall be ascertained by the affidavits taken at the time the vessel was wrecked or struck.

ARTICLE VIII.

The consuls or vice-consuls shall exercise police over all the vessels of their respective nations, and shall have on board the said vessels all power and jurisdiction in civil matters, in all disputes which may there arise; they shall have an entire inspection over the said

main-levée du consul ou vice-consul le plus proche, les réclameront par eux-mêmes, ou par leurs mandataires soit pour réexporter les marchandises, et dans ce cas elles ne paieront aucune espèce de droits de sortie, soit pour les vendre dans le pays, si elles n'y sont pas prohibées; et dans ce dernier cas, les dites marchandises se trouvant avariées, on leur accordera une modération sur les droits d'entrée proportionné au dommage souffert, lequel sera constaté par le procès verbal dressé lors du naufrage ou l'échouement.

ARTICLE VIII.

Les consuls ou vice-consuls exerceront la police sur tous les bâtimens de leurs nations respectives, et auront à bord des dits bâtimens tout pouvoir et juridiction en matière civile dans toutes les discussions qui pourront y survenir; ils auront une entière inspection sur les dits bâtimens, leurs équipages

vessels, their crew and the changes and substitutions there to be made. For which purpose they may go on board the said vessels whenever they may judge it necessary. Well understood that the functions hereby allowed shall be confined to the interior of the vessels, and that they shall not take place in any case which shall have any interference with the police of the ports where the said vessels shall be.

ARTICLE IX.

The consuls and vice-consuls may cause to be arrested the captains, officers, mariners, sailors, and all other persons being part of the crews of the vessels of their respective nations, who shall have deserted from the said vessels, in order to send them back and transport them out of the country. For which purpose the said consuls and vice-consuls shall address themselves to the courts, judges and officers competent, and shall demand the said deserters in writing, proving by an exhibition of the registers of the vessel or ship's roll, that those men were part of the said crews; and on this demand so proved (saying how-

et les changements et replacements à y faire, pour quel effet ils pourront transporter à bord des dits bâtimens toutes les fois qu'ils le jugeront nécessaire. Bien entendu que les fonctions ci-dessus énoncées seront concentrées dans l'intérieur des bâtimens, et qu'elles ne pourront avoir lieu dans aucun cas qui ait quelque rapport avec la police des ports où les dits bâtimens se trouveront.

ARTICLE IX.

Les consuls et vice-consuls pourront faire arrêter les capitaines, officiers, mariners, matelots et toutes autres personnes faisant partie des équipages des bâtimens de leurs nations respectives qui auroient déserteré des dits bâtimens, pour les renvoyer et faire transporter hors du pays. Auquel effet les consuls et vice-consuls s'adresseront aux tribunaux, juges, et officiers compétens, et leur feront, par écrit, demande des dits déserterés en justifiant par l'exhibition des registres du bâtiment, du rôle d'équipage, que ces hommes faisoient partie des dits équipages. Et sur cette demande, ainsi ju-

ver where the contrary is proved) the delivery shall not be refused; and there shall be given all aid and assistance to the said consuls and vice-consuls for the search, seizure and arrest of the said deserters, who shall even be detained and kept in the prisons of the country, at their request and expence until they shall have found an opportunity of sending them back. But if they be not sent back within three months, to be counted from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.

ARTICLE X.

In cases where the respective subjects or citizens shall have committed any crime, or breach of the peace, they shall be amenable to the judges of the country.

ARTICLE XI.

When the said offenders shall be a part of the crew of a vessel of their nation, and shall have withdrawn themselves on board the said vessel, they may be there seized and arrested by order of the judges of the country: These shall give notice thereof to

fiée, sauf toutefois la preuve contraire, l'extradition ne pourra être refusée, et il sera donné toute aide et assistance aux dits consuls et vice-consuls pour la recherche, saisie et arrestation des susdits déser-teurs, lesquels seront même détenûs et gardés dans les prisons du pais, à leur réquisition, et à leurs fraix, jusqu' à ce qu'ils aient trouvé occasion de les renvoyer. Mais s'ils n'étoient renvoyés dans le délai de trois mois à compter du jour de leur ar-rêt, ils seront élargis, et ne pourront plus être arrêtés pour la même cause.

ARTICLE X.

Dans le cas où les sujets ou citoyens respectifs auront commis quelque crime ou infraction de la tranquillité publique, ils seront justiciables des juges du pais.

ARTICLE XI.

Lorsque les dits coupables feront partie de l'équipage de l'un des bâtimens de leur nation, et se feront retirés à bord des dits navires, ils pourront y être saisis et arrêtés par l'ordre des juges territoriaux: ceux-ci en préviendront le consul ou

the consul or vice-consul, who may repair on board if he thinks proper : But this notification shall not in any case delay execution of the order in question. The persons arrested shall not afterwards be set at liberty until the consul or vice-consul shall have been notified thereof ; and they shall be delivered to him, if he requires it, to be put again on board of the vessel on which they were arrested, or of others of their nation, and to be sent out of the country.

ARTICLE XII.

All differences and suits between the subjects of the Most Christian King, in the United States, or between the citizens of the United States, within the dominions of the Most Christian King, and particularly all disputes relative to the wages and terms of engagement of the crews of the respective vessels, and all differences of whatever nature they be, which may arise between the privates of the said crews, or between any of them and their captains, or between the captains of different vessels of their nation, shall be determined by the respective

vice consul, lequel pourra rendre à bord s'il le juge propos : mais cette prévenance ne pourra en aucun cas retarder l'exécution de l'ordre dont il est question. Les personnes arrêtées pourront en suite être mises en liberté qu'après que le consul ou vice-consul en aura été prévenu, et elles lui seront remises s'il le requiert pour être reconduites sur les bâtimens où elles auront été arrêtées, ou autres de leur nation, et être renvoyées hors du pais.

ARTICLE XII.

Tous différends et procès entre les sujets du Roi très Chrétien dans les Etats Unis ou entre les citoyens des Etats Unis dans les Etats du Roi très Chrétien, et notamment toutes les discussions relatives aux salaires et conditions des engagements de équipages des bâtimens respectifs, et tous différends de quelque nature qu'ils soient, qui pourroient s'élever entre les hommes des dits équipages, ou entre quelques uns d'eux, et leurs capitaines ou entre les capitaines de divers bâtimens nationaux, seront terminés par les consuls et vice-consuls respectifs,

consuls and vice-consuls, either by a reference to arbitrators, or by a summary judgment, and without costs. No officer of the country, civil or military, shall interfere therein, or take any part whatever in the matter: and the appeals from the said consular sentences shall be carried before the tribunals of France or of the United States, to whom it may appear to take cognizance hereof.

ARTICLE XIII.

The general utility of commerce having caused to be established within the dominions of the Most Christian King, particular tribunals and forms for expediting the decision of commercial affairs, the merchants of the United States shall enjoy the benefit of these establishments; and the Congress of the United States will provide in the manner the most conformable to its laws, for the establishment of equivalent advantages in favour of the French merchants, for the prompt dispatch and decision of affairs of the same nature.

soit par un renvoi par-devant des arbitres, soit par un jugement sommaire, et sans frais. Aucun officier territorial, civil ou militaire ne pourra y intervenir, ou prendre une part quelconque à l'affaire, et les appels des dits jugemens consulaires seront portés devant les tribunaux de France ou des Etats Unis qui doivent en connaître.

ARTICLE XIII.

L'utilité générale du commerce aiant fait établir dans les états du Roi très Chrétien des tribunaux et des formes particulières pour accélérer la décision des affaires de commerce, les négocians des Etats Unis jouiront du bénéfice de ces établissemens, et le Congrès des Etats Unis pourvoira de la manière la plus conforme à ses loix, à l'établissement des avantages équivalents en faveur des négocians Français pour la prompte expédition et décision des affaires de la même nature.

ARTICLE XIV.

The subjects of the Most Christian King, and the citizens of the United States, who shall prove by legal evidence, that they are of the said nations respectively, shall in consequence enjoy an exemption from all personal service in the place of their settlement.

ARTICLE XV.

If any other nation acquires by virtue of any convention whatever, a treatment more favourable with respect to the consular pre-eminences, powers, authority and privileges, the consuls and vice-consuls of the Most Christian King, or of the United States, reciprocally shall participate therein, agreeable to the terms stipulated by the second, third and fourth articles of the treaty of amity and commerce, concluded between the most Christian King and the United States.

ARTICLE XVI.

The present convention shall be in full force during the term of twelve years, to be counted from the day of the exchange of ratifications, which shall be given in

ARTICLE XIV.

Les sujets du Roi très Chrétien et les citoyens des Etats Unis, qui justifieront authentiquement être du corps de la nation respective jouiront en conséquence de l'exemption de tout service personnel dans le lieu de leur établissement.

ARTICLE XV.

Si quelque autre nation acquiert, en vertu d'une convention quelconque, un traitement plus favorable relativement aux prééminences, pouvoirs, autorité et privilèges consulaires, les consuls et vice-consuls du Roi très Chrétien ou des Etats Unis, réciproquement, y participeront, aux termes stipulés par les articles deux, trois et quatre, du traité d'amitié et de commerce conclu entre le Roi très Chrétien et les Etats Unis.

ARTICLE XVI.

La présente convention aura son plein effet pendant l'espace de douze ans, compter du jour de l'échange des ratifications, lesquelles seront données en bonn

proper form, and exchanged
both sides within the
space of one year, or sooner
possible.

In faith whereof, we Mi-
nisters Plenipotentiary,
have signed the pre-
sent convention, and have
thereto set the seal of our
arms.

*DONE at Versailles, the
14th of November, one
thousand seven hundred
and eighty-eight.*

C. De MONTMORIN, (L. S.)

forme et échangées de part
et d'autre dans l'espace d'un
an, ou plutôt si faire se peut.

En foi de quoi, nous Mini-
sires Plénipotentiaires, a-
vons signé la présente con-
vention, et y avons fait
apposer le cachet de nos
armes.

*FAIT à Versailles, le 14. No-
vembre, mil sept cent quatre-
vingt-huit.*

TH. JEFFERSON, (L. S.)

*TREATY of PEACE and FRIENDSHIP made and
concluded between the PRESIDENT of the United States
of America, on the part and behalf of the said States,
and the undersigned KINGS, CHIEFS and WARRIORS of
the Creek Nation of Indians, on the part and behalf of the
said Nation.*

THE parties being desirous of establishing permanent
peace and friendship between the United States and
the said Creek Nation, and the citizens and members
thereof, and to remove the causes of war by ascertaining
their limits, and making other necessary, just and friendly
arrangements: The President of the United States, by
Henry Knox, Secretary for the Department of War, whom
he hath constituted with full powers for these purposes, by
and with the advice and consent of the Senate of the
United States, and the Creek Nation by the undersigned
Kings, Chiefs and Warriors, representing the said Nation,
have agreed to the following articles.

E e e

ARTICLE I.

There shall be perpetual peace and friendship between all the citizens of the United States of America, and the individuals, towns and tribes of the Upper, Middle and Lower Creeks and Semanoles, composing the Creek Nation of Indians.

ARTICLE II.

The undersigned Kings, Chiefs and Warriors, themselves and all parts of the Creek Nation within the limits of the United States, do acknowledge themselves and the said parts of the Creek Nation, to be under the protection of the United States of America, and of other sovereign whosoever; and they also stipulate that the said Creek Nation will not hold any treaty with any individual State, or with individuals of any State.

ARTICLE III.

The Creek Nation shall deliver as soon as practicable to the commanding officer of the troops of the United States, stationed at the Rock-Landing on the Oconee river, all citizens of the United States, white inhabitants or negroes, who are now prisoners in any part of the said nation. And if any such prisoners or negroes should not be delivered, on or before the first day of June ensuing, the Governor of Georgia may empower three persons to repair to the said nation, in order to claim and receive such prisoners and negroes.

ARTICLE IV.

The boundary between the citizens of the United States and the Creek Nation is, and shall be, from where the old line strikes the river Savannah; thence up the said river to a place on the most northern branch of same, commonly called the Keowee, where a north-south line to be drawn from the top of the Occunna mountain shall intersect; thence along the said line in a south-westerly direction to Tugelo river; thence to the top of the Crahee mountain; thence to the head or source of

in south branch of the Oconee river, called the Ap-
 pachee; thence down the middle of the said main south
 branch and river Oconee, to its confluence with the Oak-
 mulgee, which form the river Altamaha; and thence
 down the middle of the said Altamaha to the old line on
 the said river, and thence along the said old line to the
 river St. Mary's.

And, in order to preclude forever all disputes relatively
 to the head or source of the main south branch of the river
 Oconee, at the place where it shall be intersected by the
 line aforesaid, from the Currahee mountain, the same shall
 be ascertained by an able surveyor on the part of the
 United States, who shall be assisted by three old citizens
 of Georgia, who may be appointed by the Governor of the
 said state, and three old Creek chiefs, to be appointed by
 the said nation; and the said surveyor, citizens and chiefs
 shall assemble for this purpose, on the first day of October,
 one thousand seven hundred and ninety-one, at the Rock-
 landing on the said river Oconee, and thence proceed to
 ascertain the said head or source of the main south branch
 of the said river, at the place where it shall be intersected
 by the line aforesaid, to be drawn from the Currahee
 mountain. And in order that the said boundary shall be
 rendered distinct and well known, it shall be marked by a
 line of felled trees at least twenty feet wide, and the trees
 chopped on each side from the said Currahee mountain,
 to the head or source of the said main south branch of the
 Oconee river, and thence down the margin of the said main
 south branch and river Oconee for the distance of twen-
 ty miles, or as much farther as may be necessary to mark
 distinctly the said boundary. And in order to extinguish
 forever all claims of the Creek nation, or any part there-
 of, to any of the land lying to the northward and east-
 ward of the boundary herein described, it is hereby agreed,
 in addition to the considerations heretofore made for the
 said land, that the United States will cause certain valu-
 able Indian goods now in the state of Georgia, to be deli-
 vered to the said Creek nation; and the said United States

will also cause the sum of one thousand and five hundred dollars to be paid annually to the said Creek nation. And the undersigned Kings, Chiefs and Warriors, do here for themselves and the whole Creek nation, their heirs and descendants, for the considerations above-mentioned, release, quit claim, relinquish and cede, all the land to the northward and eastward of the boundary herein described.

ARTICLE V.

The United States solemnly guarantee to the Creek Nation, all their lands within the limits of the United States to the westward and southward of the boundary described in the preceding article.

ARTICLE VI.

If any citizen of the United States, or other person not being an Indian, shall attempt to settle on any of the Creek lands, such person shall forfeit the protection of the United States, and the Creeks may punish him or not, they please.

ARTICLE VII.

No citizen, or inhabitant of the United States shall attempt to hunt or destroy the game on the Creek land. Nor shall any such citizen or inhabitant go into the Creek country, without a passport first obtained from the Governor of some one of the United States, or the officer of the troops of the United States commanding at the nearest military post on the frontiers, or such other person as the President of the United States may from time to time authorize to grant the same.

ARTICLE VIII.

If any Creek Indian or Indians, or person residing among them, or who shall take refuge in their nation shall commit a robbery or murder, or other capital crime on any of the citizens or inhabitants of the United States, the Creek nation, or town, or tribe to which such offender or offenders may belong, shall be bound to deliver him or them up, to be punished according to the laws of the United States.

ARTICLE IX.

If any citizen or inhabitant of the United States, or of either of the territorial districts of the United States, shall go into any town, settlement or territory belonging to the Creek nation of Indians, and shall there commit any crime upon, or trespass against the person or property of any peaceable and friendly Indian or Indians, which if committed within the jurisdiction of any State, or within the jurisdiction of either of the said districts, against a citizen or white inhabitant thereof, would be punishable by the laws of such State or district, such offender or offenders shall be subject to the same punishment, and shall be proceeded against in the same manner, as if the offence had been committed within the jurisdiction of the State or district to which he or they may belong, against a citizen or white inhabitant thereof.

ARTICLE X.

In cases of violence on the persons or property of the individuals of either party, neither retaliation nor reprisal shall be committed by the other, until satisfaction shall have been demanded of the party of which the aggressor is, and shall have been refused.

ARTICLE XI.

The Creeks shall give notice to the citizens of the United States of any designs, which they may know or suspect to be formed in any neighbouring tribe, or by any person whatever, against the peace and interests of the United States.

ARTICLE XII.

That the Creek Nation may be led to a greater degree of civilization, and to become herdsmen and cultivators, instead of remaining in a state of hunters, the United States will from time to time furnish gratuitously the said Nation with useful domestic animals and implements of husbandry. And further to assist the said Nation in so desirable a pursuit, and at the same time to establish a certain mode of communication, the United States will send

such, and so many persons to reside in said nation as they may judge proper, and not exceeding four in number who shall qualify themselves to act as interpreters. These persons shall have lands assigned them by the Creeks for cultivation, for themselves and their successors in office but they shall be precluded exercising any kind of traffic

A R T I C L E XIII.

All animosities for past grievances shall henceforth cease; and the contracting parties will carry the foregoing treaty into full execution, with all good faith and sincerity

A R T I C L E XIV.

This treaty shall take effect and be obligatory on the contracting parties, as soon as the same shall have been ratified by the President of the United States, with the advice and consent of the Senate of the United States.

IN WITNESS of all and every thing herein determined between the United States of America and the whole Creek Nations, the parties have hereunto set their hands and seals, in the city of New-York, within the United States, this seventh day of August, one thousand seven hundred and ninety.

In behalf of the United States,

H. K N O X, } Secretary of War, and sole Commissioner
treating with the Creek nation of India

In behalf of themselves and the whole Creek nation of Indians

	ALEXANDER M'GILLIVRAY,	(L. S.
Cusetahs.	{ Fusk itche Mico, or Birdtail King,	X (L. S.
	{ Neathblock, or Second Man,	X (L. S.
	{ Halletemalthle, or Blue Giver,	X (L. S.
Little Tallsee.	{ Opay Mico, or the Singer,	X (L. S.
	{ Totkeshajou, or Samoniac,	X (L. S.
Big Tallsee.	{ Hopothe Mico, or Tallsee King,	X (L. S.
	{ Opototache, or Long Side,	X (L. S.
Tuckabatchy.	{ Soboleffee, or Young Second Man,	X (L. S.
	{ Ochcehajou, or Aleck Cornel,	X (L. S.

Natches.	{	<i>Chinabie</i> , or the great Natches Warrior,	X	(L. S.)
		<i>Natsowachebee</i> , or the Great Natches Warrior's Brother,	}	X (L. S.)
		<i>Thakotechee</i> , or the Mole,		
Wetas.	{	<i>Oquakabee</i> ,	X	(L. S.)
		<i>Tuskenaah</i> , or Big Lieutenant,	X	(L. S.)
		<i>Homatab</i> , or Leader,	XX	(L. S.)
		<i>Chinnabie</i> , or Matthews,	XX	(L. S.)
		<i>Juletaulematha</i> , or Dry Pine,	XX	(L. S.)
the Bro- n Arrow.	{	<i>Charwockly Mico</i> ,	X	(L. S.)
Coofades.	{	<i>Coofades Hopoy</i> , or the Measurer,	X	(L. S.)
		<i>Muthtee</i> , the Mifser,	XX	(L. S.)
		<i>Stimafutchee</i> , or Good Humour,	X	(L. S.)
abama Chief.	{	<i>Stilnaleeje</i> , or Disputer,	X	(L. S.)
arkfoys.	{	<i>Mumagechee</i> , David Francis.	X	(L. S.)

DONE IN PRESENCE OF

Richard Morris, Chief Justice of the state of New-York. Richard Varick, Mayor of the city of New-York. Marius Willet. Thomas Lee Shippen, of Pennsylvania. John Rutledge, jun. Joseph Allen Smith. Henry Izard.

Joseph ^{his} X Cornell, Interpreter.
mark.

ARTICLES of AGREEMENT and CONFEDERATION made and entered into by Andrew and Thomas Lewis, Esquires, Commissioners for, and in behalf of the UNITED STATES of NORTH AMERICA of the one part; and Capt. White Eyes, Capt. John Kill Buck, junior, and Capt. Pipe, Deputies and Chief Men of the DELAWARE NATION of the other part.

ARTICLE I.

THAT all offences or acts of hostilities by one, or either of the contracting parties against the other, be mutually forgiven, and buried in the depth of oblivion, never more to be had in remembrance.

ARTICLE II.

That a perpetual peace and friendship shall from henceforth take place, and subsist between the contracting parties aforesaid, through all succeeding generations: and either of the parties are engaged in a just and necessary war with any other nation or nations, that then each shall assist the other in due proportion to their abilities, till their enemies are brought to reasonable terms of accommodation: and that if either of them shall discover any hostile designs forming against the other, they shall give the earliest notice thereof, that timely measures may be taken to prevent their ill effect.

ARTICLE III.

And whereas the United States are engaged in a just and necessary war, in defence and support of life, liberty and independence, against the King of England and his adherents, and as said King is yet possessed of several posts and forts on the lakes and other places, the reduction of which is of great importance to the peace and security of the contracting parties, and as the most practicable way for the troops of the United States to some of the posts and forts is by passing through the country of the Delaware Nation, the aforesaid deputies on behalf of themselves and their nation, do hereby stipulate and agree to give a free passage through their country to the troops aforesaid, and to assist them to conduct by the nearest and best ways to the posts or towns of the enemies of the United States, and to furnish to said troops such supplies of corn, meat, horse or whatever may be in their power for the accommodation of such troops, on the commanding officer's &c. paying or engaging to pay the full value of whatever they can supply them with. And the said deputies, on the behalf of their nation, engage to join the troops of the United States aforesaid, with such a number of their best and most expert warriors as they can spare, consistent with their own safety, and act in concert with them; and for the better security of the old men, women and children of the aforesaid nation, whilst their warriors are engaged

ainst the common enemy, it is agreed on the part of the United States, that a fort of sufficient strength and capacity be built at the expence of the said States, with such assistance as it may be in the power of the said Delaware Nation to give, in the most convenient place and advantageous situation, as shall be agreed on by the commanding officer of the troops aforesaid, with the advice and concurrence of the deputies of the aforesaid Delaware Nation, which fort shall be garrisoned by such a number of the troops of the United States, as the commanding officer can spare for the present, and hereafter by such numbers, as the wise men of the United States in Council, all think most conducive to the common good.

ARTICLE IV.

For the better security of the peace and friendship now entered into by the contracting parties, against all infractions of the same by the citizens of either party, to the prejudice of the other, neither party shall proceed to the infliction of punishments on the citizens of the other, otherwise than by securing the offender or offenders by imprisonment, or any other competent means, till a fair and impartial trial can be had by judges or juries of both parties, as near as can be to the laws, customs and usages of the contracting parties and natural justice: The mode of such trials to be hereafter fixed by the wise men of the United States in Congress assembled, with the assistance of such deputies of the Delaware Nation, as may be appointed to act in concert with them in adjusting this matter to their mutual liking. And it is further agreed between the parties aforesaid, that neither shall entertain or give countenance to the enemies of the other, or protect in their respective States, criminal fugitives, servants or slaves, but the same to apprehend, and secure and deliver to the State or States, to which such enemies, criminals, servants or slaves respectively belong.

ARTICLE V.

Whereas the confederation entered into by the Delaware Nation and the United States, renders the first de-

pendant on the latter for all the articles of cloathing, utensils and implements of war, and it is judged not on reasonable, but indispenfibly necessary, that the aforefaid Nation be fupplied with fuch articles from time to time as far as the United States may have it in their power, by a well regulated trade, under the conduct of an intelligent candid agent with an adequate falary, one more influenced by the love of his country, and a constant attention to the duties of his department by promoting the commercial interest, than the finifter purpofes of converting and binding all the duties of his office to his private emolument. Convinced of the neceffity of fuch meafures, the Commiffioners of the United States, at the earneft folicitation of the deputies aforefaid, have engaged in behalf of the United States, that fuch a trade fhall be afforded faid nation conducted on fuch principles of mutual interest as the wifdom of the United States in Congress affembled fhall think moft conducive to adopt for their mutual convenience.

ARTICLE VI.

Whereas the enemies of the United States have endeavoured by every artifice in their power to poffefs the Indians in general with an opinion, that it is the design of the States aforefaid, to extirpate the Indians and take poffeffion of their country: to obviate fuch falfe fuggeftions the United States do engage to guarantee to the aforefaid nation of Delawares, and their heirs, all their territorial rights in the fulleft and moft ample manner, as it hath been bounded by former treaties, as long as they the faid Delaware nation fhall abide by, and hold faft the chain of friendship now entered into. And it is further agreed on between the contracting parties (fhould it for the future be found conducive for the mutual interest of both parties) to invite any other tribes who have been friendly to the interest of the United States, to join the present confederation, and to form a ftate whereof the Delaware nation fhall be the head, and have a representation in Congress: Provided nothing contained in this article to be

considered as conclusive until it meets with the approbation of Congress. And it is also the intent and meaning of this article, that no protection or countenance shall be afforded to any who are at present our enemies, by which they might escape the punishment they deserve.

WITNESS *whereof the Parties have hereunto interchangeably set their hands and seals at Fort Pitt, September seventeenth, Anno Domini one thousand seven hundred and seventy-eight.*

Andrew Lewis, (L. S.)

Thomas Lewis. (L. S.)

White Eyes, his X mark. (L. S.)

The Pipe, his X mark. (L. S.)

John Kill Buck, his X mark. (L. S.)

IN PRESENCE OF

Lachn. M'Intosh, B. General, commander the western department. Daniel Brodhead, Col. 8th Pennsylvania regiment. W. Crawford, Col. John Campbell. John Stephenfon. John Gibson, Col. 13th Virginia regiment. J. Graham, Brigade Major. Lachn. M'Intosh, jun. Major brigade. Benjamin Mills. Joseph L. Finley, Capt. 8th Pennsylvania regiment. John Finley, Capt. 8th Pennsylvania regiment.

DEPARTMENT of STATE, *to wit.*

I HEREBY certify that the proof-sheets of an edition of the Acts of Congress passed at the session which began on the 4th of January, 1790, as also of Treaties of the United States, under the title of 'Acts passed at the second session of the Congress of the United States of America,' printed in this present year 1791, Philadelphia, by Francis Childs and John Swaine, in 405 pages octavo, have, from page 3 to page 405, inclusive, been carefully collated by sworn Clerks, with the original rolls deposited in the office of the Secretary of State, and that the following are the variations of the said proof-sheets from the rolls.

Proof Sheets.	Rolls.
Page 210, Line 33, representations	representations
227, 5, conflater	conflater

GIVEN under my hand at Philadelphia, this 6th day of August, 1791.

THOMAS JEFFERSON, *Secretary of State.*

ARTICLES of a **TREATY** made at *Fort-Harmar*, between *Arthur St. Clair*, Governor of the Territory of the United States North-West of the River *Ohio*, and Commissioner Plenipotentiary of the UNITED STATES of AMERICA; for removing all Causes of Controversy, regulating Trade, and settling Boundaries, with the Indian Nations in the Northern Department, of the one Part; and the Sachems and Warriors of the *WYANDOT, DELAWARE, OTTAWA, CHIPPEWA, PATTAWATIMA* and *SAC NATIONS* on the other Part.

ARTICLE I.

WHEREAS the United States in Congress assembled, did by their Commissioners *George Rogers Clark*, *Richard Butler*, and *Arthur Lee*, Esquires, duly appointed for that Purpose; at a Treaty holden with the *Wyandot, Delaware, Ottawa* and *Chippewa Nations*, at *Fort M^cIntosh*, on the twenty-first day of *January*, in the year of our Lord one thousand seven hundred and eighty-five, conclude a peace with the *Wyandots, Delawares, Ottawas* and *Chippewas*, and take them into their friendship and protection: And whereas at the said treaty it was stipulated that all prisoners that had been made by those Nations, or either of them, should be delivered up to the United States. And whereas the said nations have now agreed to and with the aforesaid *Arthur St. Clair*, to renew and confirm all the engagements they had made with the United States of America, at the before mentioned treaty, except so far as are altered by these presents. And there are now in the possession of some individuals of these nations, certain prisoners, who have been taken by others not in peace with the said United States, in violation of the treaties subsisting between the United States and them; the said nations agree to deliver up all the prisoners now in their hands (by what means soever they may have come into their possession) to the said Governor *St. Clair*, at *Fort Harmar*, or in his absence to the Officer commanding there, as soon as conveniently may be; and for the true performance of this agreement they do now agree to deliver into his hands, two persons of the

Wyandot Nation, to be retained in the hands of the United States as hostages, until the said prisoners are restored; after which they shall be sent back to their nation

ARTICLE II.

And whereas at the before mentioned treaty it was agreed between the United States and said nations, that a boundary line should be fixed between the lands of those nations and the territory of the United States, which boundary is as follows, *viz.*—Beginning at the mouth of Cayahoga river, and running thence up the said river to the portage between that and the Tuscarora branch of Muskingum, then down the said branch to the forks at the crossing-place above fort Lawrence, then westerly to the portage on that branch of the Big Miami river which runs into the Ohio, at the mouth of which branch the fort stood which was taken by the French the year of our Lord one thousand seven hundred and fifty two, then along the said portage to the Great Miami or Erie river, and down the south-east side of the same to the mouth; thence along the southern shore of Lake Erie to the mouth of Cayahoga, where it began. And the said Wyandot, Delaware, Ottawa and Chippewa Nations, and in consideration of the peace then granted to them by the said United States, and the presents they then received, as well as of a quantity of goods to the value of six thousand dollars, now delivered to them by the said Arthur St. Clair, the receipt whereof they do hereby acknowledge, do by these presents renew and confirm the said boundary line; to the end that the same may remain as a division line between the lands of the United States of America, and the lands of said nations, forever. And the undersigned Indians do hereby in their own names and the names of their respective nations and tribes, their heirs and descendants, for the consideration above mentioned, release, quit-claim, relinquish and cede to the said United States, all the land east, south and west of the line above described, so far as the said Indians formerly claimed the same; for them the said United States to have and hold the same in true and absolute propriety for ever.

ARTICLE III.

The United States of America do by these presents relinquish and quit-claim to the said nations respectively, all the lands lying between the limits above described, for them the said Indians to live and hunt upon, and otherwise to occupy as they shall see fit: But the said nations, or either of them, shall not be at liberty to sell or dispose of the same, or any part thereof, to any sovereign power except the United States; nor to the subjects or citizens of any other sovereign power, nor to the subjects or citizens of the United States.

ARTICLE IV.

It is agreed between the said United States and the said nations, that the individuals of said nations shall be at liberty to hunt within the territory ceded to the United States, without hindrance or molestation, so long as they mean themselves peaceably and offer no injury or annoyance to any of the subjects or citizens of the said United States.

ARTICLE V.

It is agreed that if any Indian or Indians of the nations before mentioned, shall commit a murder or robbery on any of the citizens of the United States, the nation or tribe to which the offender belongs, on complaint being made, shall deliver up the person or persons complained of, at the nearest post of the United States; to the end that he or they may be tried, and if found guilty, punished according to the laws established in the territory of the United States north-west of the river Ohio, for the punishment of such offences, if the same shall have been committed within the said territory; or according to the laws of the state where the offence may have been committed, if the same has happened in any of the United States. In like manner, if any subject or citizen of the United States shall commit murder or robbery on any Indian or Indians of the said nations, upon complaint being made thereof, he or they shall be arrested, tried and punished agreeable to the laws of the state or of the territory wherein the offence was committed; that nothing may interrupt the peace and harmony now established between the United States and said nations.

ARTICLE VI.

And whereas the practice of stealing horses has prevailed very much, to the great disquiet of the citizens of the United States, and if persisted in cannot fail to involve both the United States of America and the Indians in endless animosity, it is agreed that it shall be put an entire stop to on both sides; nevertheless, should some individuals in defiance of this agreement, and of the laws provided against such offences, continue to make depredations of that nature, the person convicted thereof shall be punished with the utmost severity the laws of the respective states, or territory of the United States north-west of the Ohio, where the offence may have been committed, will admit of: And all horses so stolen, either by the Indians from the citizens or subjects of the United States, or by the citizens or subjects of the United States from any of the Indian nations, may be reclaimed, into whose possession soever they may have passed, and upon due proof shall be restored; any sales in market overt, notwithstanding. And the civil magistrates in the United States respectively, and in the territory of the United States north-west of the Ohio, shall give all necessary aid and protection to the Indians claiming such stolen horses.

ARTICLE VII.

Trade shall be opened with the said nations, and they do hereby respectively engage to afford protection to the persons and property of such as may be duly licensed to reside among them for the purposes of trade, and to the agents, factors and servants; but no person shall be permitted to reside at their towns or at their hunting camps, as a trader, who is not furnished with a licence for that purpose, under the hand and seal of the Governor of the territory of the United States north-west of the Ohio, for the time being, or under the hand and seal of one of his deputies for the management of Indian affairs; to the effect that they may not be imposed upon in their traffick. And if any person or persons shall intrude themselves without such licence, they promise to apprehend him or them, and to bring them to the said Governor, or one of his deputies for the purpose before mentioned, to be dealt with as

ording to law : And that they may be defended against persons who might attempt to forge such licences, they further engage to give information to the said Governor, or one of his deputies, of the names of all traders residing among them from time to time, and at least once in every year.

A R T I C L E VIII.

Should any nation of Indians meditate a war against the United States, or either of them, and the same shall come to the knowledge of the before mentioned nations, or either of them, they do hereby engage to give immediate notice thereof to the Governor, or in his absence to the officer commanding the troops of the United States at the nearest post. And should any nation with hostile intentions against the United States, or either of them, attempt to pass through their country, they will endeavour to prevent the same, and in like manner give information of such attempt to the said Governor or commanding officer, as soon as possible, that all causes of mistrust and suspicion may be avoided between them and the United States : In like manner the United States shall give notice to the said Indian nations, of any harm that may be meditated against them, or either of them, that shall come to their knowledge ; and do all in their power to hinder and prevent the same, that the friendship between them may be uninterrupted.

A R T I C L E IX.

If any person or persons, citizens or subjects of the United States, or any other person not being an Indian, shall presume to settle upon the lands confirmed to the said nations, he and they shall be out of the protection of the United States ; and the said nations may punish him or them in such manner as they see fit.

A R T I C L E X.

The United States renew the reservations heretofore made in the before mentioned treaty at Fort M'Intosh, for the establishment of trading posts in manner and form following ; that is to say : Six miles square at the mouth of the Miami or Omie river ; six miles square at the portage upon that branch of the Miami which runs into the Ohio ;

six miles square upon the lake Sandusky where the fort formerly stood ; and two miles square upon each side of the Lower Rapids on Sandusky river, which posts, and the lands annexed to them, shall be for the use and under the government of the United States.

A R T I C L E XI.

The post at Detroit, with a district of land beginning at the mouth of the river Rosine, at the west end of Lake Erie, and running up the southern bank of said river six miles ; thence northerly, and always six miles west of the Strait, until it strikes the lake St. Clair, shall be reserved for the use of the United States.

A R T I C L E XII.

In like manner the post at Michelimackinac, with its dependencies, and twelve miles square about the same, shall be reserved to the sole use of the United States.

A R T I C L E XIII.

The United States of America do hereby renew and confirm the peace and friendship entered into with the said nations at the treaty before mentioned, held at Fort M'Intosh ; and the said nations again acknowledge themselves, and all their tribes, to be under the protection of the said United States, and no other power whatever.

A R T I C L E XIV.

The United States of America do also receive into their friendship and protection, the nations of the Pattiwatin and Sacs ; and do hereby establish a league of peace and amity between them respectively ; and all the articles of this treaty, so far as they apply to these nations, are to be considered as made and concluded in all, and every part expressly with them and each of them.

A R T I C L E XV.

And whereas in describing the boundary before mentioned, the words, if strictly constructed, would carry the line from the portage on that branch of the Miami, which runs into the Ohio, over to the river Au Glaize ; which was neither the intention of the Indians, nor of the Commissioners ; it is hereby declared, that the line shall run from the said portage directly to the first Fork of the Miami-River, which is to the southward and eastward

to the Miami village, thence down the main Branch of the Miami-River to the said Village, and thence down that river to Lake Erie, and along the margin of the Lake to the place of beginning.

DONE at Fort-Harmar, on the Muskingum, this ninth day of January, in the year of our Lord one thousand seven hundred and eighty-nine. In witness whereof the parties have hereunto interchangeably set their hands and seals.

	AR. ST. CLAIR.	(L. S.)
	PEOUTEWATAMIE,	} (L. S.)
	KONATIKINA,	
Sacs, Chipeways, Ottawaes, Peoutewas,	{ TEPAKEE,	(L. S.)
	{ KESHEYIVA,	(L. S.)
	{ MESSASS,	(L. S.)
	{ PAUSHQUASH,	(L. S.)
	{ PAWASICKO,	(L. S.)
	{ WEWISKIA,	(L. S.)
	{ NEAGEY,	(L. S.)
	{ WINDIGO,	(L. S.)
	{ WAPASKEA,	(L. S.)
	{ NEQUEA,	(L. S.)
Delawares.	{ CAPTAIN PIPE,	(L. S.)
	{ WINGENOND,	(L. S.)
	{ PEKELAN,	(L. S.)
	{ TEATAWAY,	(L. S.)
Chipeways.	{ NANAMAKEAK,	(L. S.)
	{ WETENASA,	(L. S.)
	{ SOSKENE,	(L. S.)
	{ PEWANAKUM,	(L. S.)
Wyandots.	{ TEYANDAT 'ON 'TEC,	(L. S.)
	{ CHEYAWE,	(L. S.)
	{ DOUEYENTEAT,	(L. S.)
	{ TARHE,	(L. S.)
	{ TERHATAW,	(L. S.)
	{ DATASAY,	(L. S.)
	{ MAUDORONK,	(L. S.)
	{ SKAHOMAT,	(L. S.)

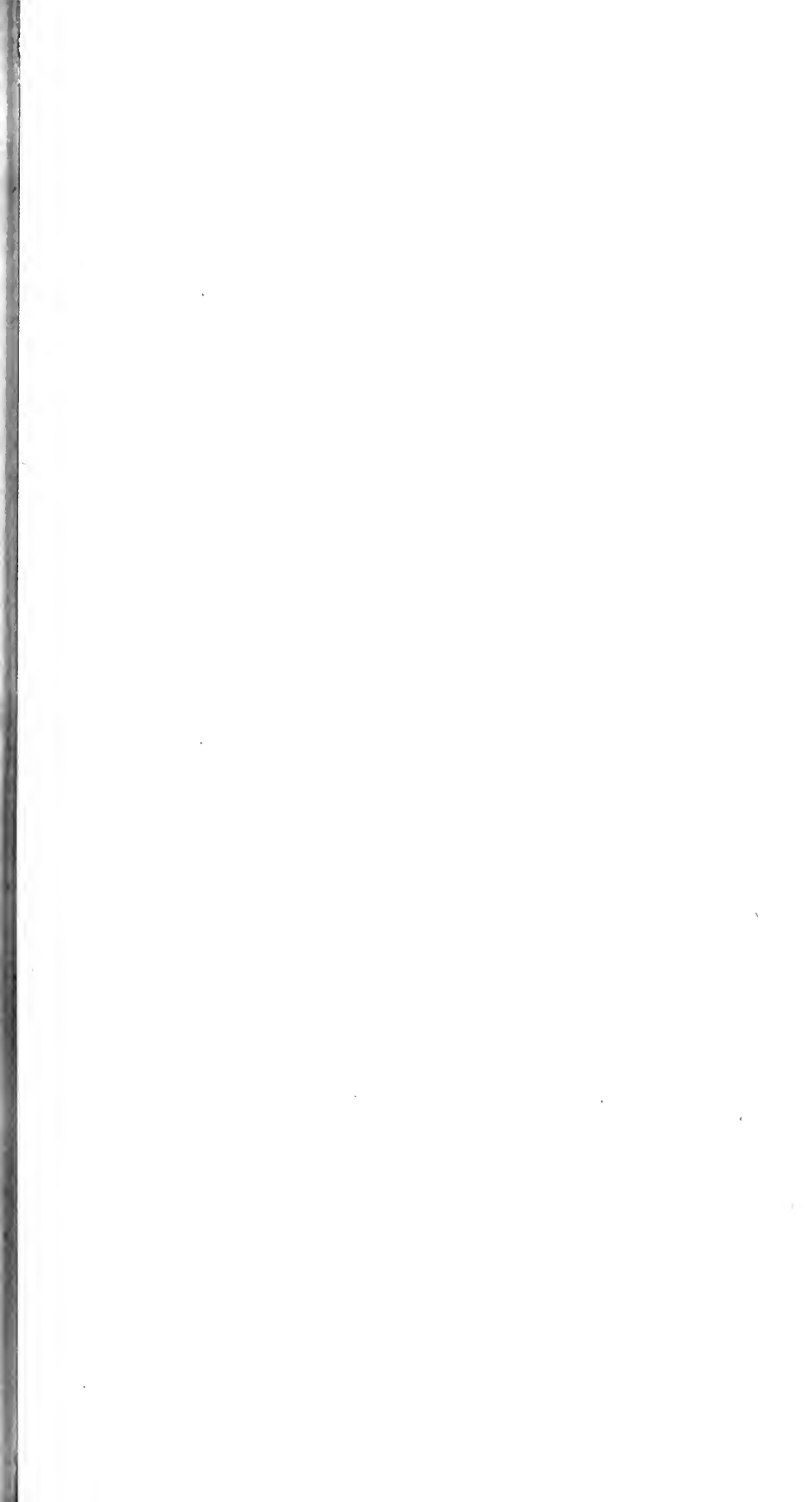
IN PRESENCE OF

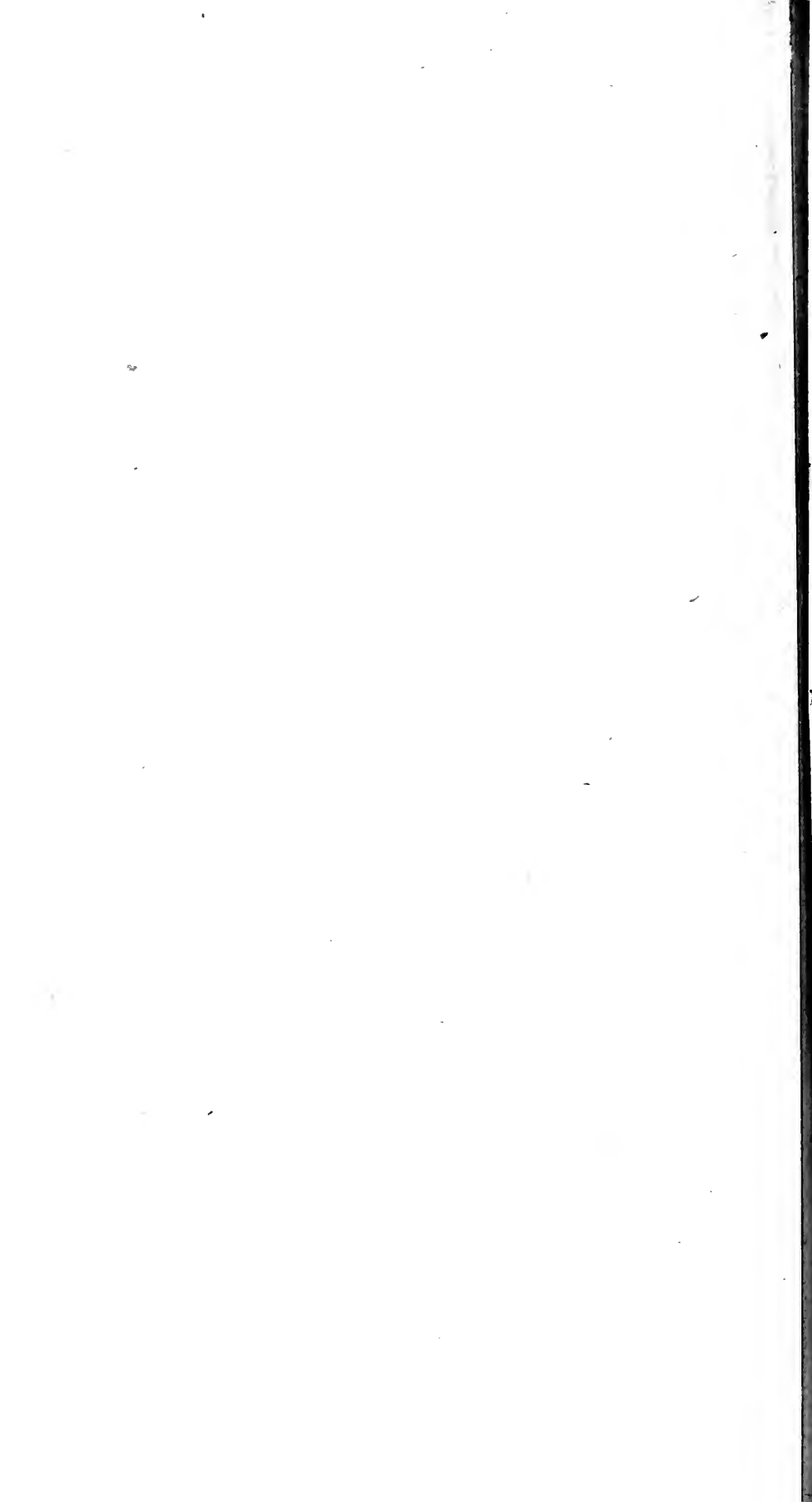
JOS. HARMAR, Lt. Col. Comt. 1st U. S. Regt. and Brig.
 Genl. by Brevet,
 RICHARD BUTLER,
 JNO. GIBSON,
 WILL. MC. CURDEY, Capt.
 E. DENNY, Enf. 1st. U. S. Regt.
 A. HARTSHORN, Enfn.
 ROBT. THOMPSON, Enf. 1st. U. S. Regt.
 FRANS. LUSE, Enf.
 J. WILLIAMS, Jun.
 WM. WILSON,
 JOSEPH NICHOLAS,
 JAMES RINKEN.

BE it remembered, That the Wyandots have laid claim to the lands that were granted to the Shawanese, at the treaty held at the Miami, and have declared, that as the Shawanese have been so restless, and caused so much trouble both to them and to the United States, if they will not now be at peace, they will dispossess them, and take the country into their own hands; for that the country is theirs of right, and the Shawanese are only living upon it by their permission. They further lay claim to all the country west of the Miami boundary, from the village to the Lake Erie, and declare that it is now under the management and direction.

SEPARATE ARTICLE.

Whereas the Wyandots have represented, that within the reservation from the river Rosine along the Strait they have two villages from which they cannot with an convenience remove; it is agreed, that they shall remain in possession of the same, and shall not be in any manner disturbed therein.





A C T S

PASSED AT THE

THIRD SESSION

OF THE

C O N G R E S S

OF THE

U N I T E D S T A T E S

OF

A M E R I C A,

BEGUN AND HELD AT THE CITY OF PHILADELPHIA,
ON MONDAY THE SIXTH OF DECEMBER,
IN THE YEAR M,DCC,XC :

AND OF THE
INDEPENDENCE OF THE UNITED STATES
THE FIFTEENTH.

TO WHICH IS ADDED AN

A P P E N D I X,

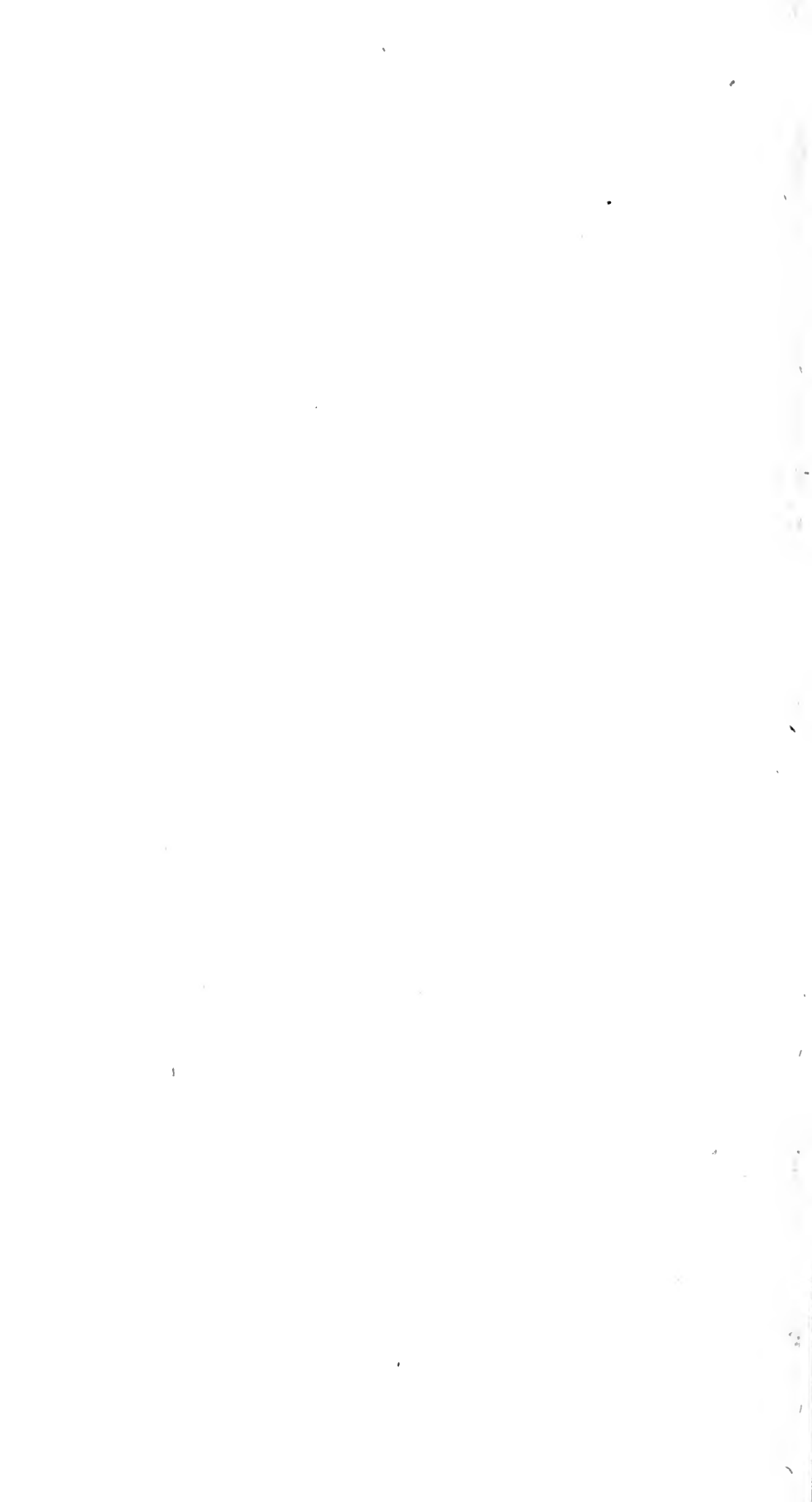
CONTAINING

RESOLVES, &c. OF THE OLD CONGRESS.

PHILADELPHIA :

PRINTED BY FRANCIS CHILDS AND JOHN SWAINE,
PRINTERS TO THE UNITED STATES.

M,DCC,XCI.



A C T S

O F

O N G R E S S .



C H A P T E R I.

An ACT supplementary to the act, intituled, "An act making FURTHER PROVISION for the PAYMENT of the DEBTS of the UNITED STATES."

WHEREAS no express provision has been made for extending the act, intituled, "An act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandize imported into the United States, and on the tonnage of ships or vessels," to the collection of the duties imposed by the said "Act making further provision for the payment of the debts of the United States," doubts concerning the same may arise:—Therefore, *Be it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled,* That the act, intituled, "An act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandize imported into the United States, and on the tonnage of ships or vessels," doth and shall extend to, and be in force for the collection of the duties specified and laid in and by the act, intituled, "An act making further provision for the payment of the debts of the United States."

Recital.

Provisions of the act for collection of duties, extended to the act making further provision for the payment of the debts of the United States.

States," as fully and effectually, as if every regulation, restriction, penalty, provision, clause, matter and thing therein contained, had been inserted in and re-enacted by the act last aforesaid.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States*
and President of the Senate.

APPROVED, December twenty-seventh, 1790.

GEORGE WASHINGTON
President of the United States.

CHAPTER II.

*An ACT to provide for the unloading of SHIPS
VESSELS, in Cases of Obstruction by Ice.*

WHEREAS it sometimes happens, that ships or vessels, are obstructed by ice in the passage to the ports of their destination, and it is necessary that provision should be made for unloading such ships or vessels :

Recital.

Section I. *Be it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled,* That in all cases where a ship or vessel shall be prevented by ice from getting to the port at which her cargo is intended to be delivered, it shall be lawful for the collector of the district, in which such ship or vessel may be obstructed, to receive the report and entry of a such ship or vessel, and with the consent of the naval-officer (where there is one) to grant a permit

In cases of obstruction by ice, collector may receive entry at any other place within his district.

permits for unlading or landing the goods, wares or merchandize imported in such ship or vessel at any place within his district, which shall appear to him to be most convenient and proper.

Sec. 2. *And be it further enacted*, That the report and entry of such ship or vessel, and of her cargo, or any part thereof, and all persons concerned therein, shall be under and subject to the same rules, regulations, restrictions, penalties and provisions, as if the said ship or vessel had arrived at the port of her destination, and had there proceeded to the delivery of her cargo.

under the usual regulations in other cases.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, January the seventh, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER III.

An ACT to continue an Act, intituled, “ An Act declaring the Assent of Congress to certain Acts of the States of Maryland, Georgia, and Rhode-Island and Providence Plantations,” so far as the same respects the States of Georgia, and Rhode-Island and Providence Plantations.

BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That the act passed the last session of Congress, intituled, “ An act de-

Limitation. claring the assent of Congress to certain acts the states of Maryland, Georgia, and Rhode-Island and Providence Plantations," shall be continue and is hereby declared to be in full force, so f as the same respects the states of Georgia, ar Rhode-Island and Providence Plantations, for th farther term of one year, and from thence to th end of the then next session of Congress, and longer.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, January the tenth, 1791.

GEORGE WASHINGTON
President of the United States.

CHAPTER IV.

*An ACT declaring the Consent of Congress, that
new State be formed within the Jurisdiction
the Commonwealth of Virginia, and admitted in
this Union, by the Name of the STATE of KENTUCKY.*

Recital. **W**HEREAS the Legislature of the Commonwealth of Virginia, by an act entitled, "An act concerning the erection of the district of Kentucky into an independant State, passed the eighteenth day of December, one thousand seven hundred and eighty-nine, have consented, that the district of Kentucky, within the jurisdiction of the said Commonwealth, and ac

ording to its actual boundaries at the time of passing the act aforesaid, should be formed into a new State: And whereas a convention of delegates, chosen by the people of the said district of Kentucky, have petitioned Congress to consent, that, on the first day of June, one thousand seven hundred and ninety-two, the said district should be formed into a new State, and received into the Union, by the name of "the State of Kentucky:"

Section 1. *Be it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, and it is hereby enacted and declared,* That the Congress doth consent, that the said district of Kentucky, within the jurisdiction of the Commonwealth of Virginia, and according to its actual boundaries, on the eighteenth day of December, one thousand seven hundred and eighty-nine, shall, upon the first day of June, one thousand seven hundred and ninety-two, be formed into a new State, separate from, and independant of, the said Commonwealth of Virginia.

Consent of Congress that a part of Virginia within certain boundaries, shall become a new state:

Sec. 2. *And be it further enacted and declared,* that upon the aforesaid first day of June, one thousand seven hundred and ninety-two, the said new State, by the name and stile of the State of Kentucky, shall be received and admitted into this Union, as a new and entire member of the United States of America.

When and by what name admitted into the union.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, February the fourth, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER V.

*An ACT declaring the CONSENT of CONGRESS to
a certain ACT of the STATE of MARYLAND.*

BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That the consent of Congress be, and is hereby granted and declared to the operation of an act of the General Assembly of Maryland, made and passed at a session begun and held at the city of Annapolis, on the first Monday in November last, intituled, "An act to empower the wardens of the port of Baltimore to levy and collect the duty therein mentioned," until the tenth day of January next, and from thence until the end of the then next session of Congress and no longer.

Limitation.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, February the ninth, 1791.

GEORGE WASHINGTON,
President of the United States,

CHAPTER VI.

An ACT making APPROPRIATIONS for the Support of Government during the year one thousand seven hundred and ninety-one, and for other Purposes.

BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That there be appropriated the several sums, and for the several purposes following, to wit ; A sum not exceeding two hundred and ninety-nine thousand two hundred and seventy-six dollars and fifty three cents, for defraying the expenses of the civil list, as estimated by the Secretary of the Treasury, in the statement, number one, accompanying his report to the House of Representatives of the sixth instant, including the contingencies of the several executive officers, and of the two Houses of Congress, which are hereby authorized and granted : a sum not exceeding fifty thousand seven hundred and fifty-six dollars and fifty-three cents, for satisfying the several objects specified in the statement, number two, accompanying the report aforesaid, all which whereof, as may not have been heretofore provided for by law, being hereby authorized : and a sum not exceeding three hundred and ninety thousand one hundred and ninety-nine dollars and fifty-four cents, for the use of the department of war, pursuant to the statement, number three, accompanying the report aforesaid, including therein the sum of one hundred thousand dollars, for defraying the expenses of an expedition lately carried on against certain Indian tribes ; and the sum of eighty-seven thousand four hundred and sixty-three dollars and sixty cents, being the amount of one year's pensions to invalids, together with the contingencies of the said department,

Appropriations of money for, the civil list;

Certain specified purposes ;

Department of war ;

Pensions to Invalids ;

out of what
funds paya-
ble.

which are hereby authorized : Which several sums shall be paid out of the funds following, namely, The sum of six hundred thousand dollars which, by the act, intituled, “ An act making provision for the debt of the United States,” is reserved yearly for the support of the government of the United States, and their common defence the amount of such surpluses as may remain in the treasury, after satisfying the purposes for which appropriations were made, by the acts respectively, intituled, “ An act making appropriations for the service of the present year,” passed the twentieth day of September, one thousand seven hundred and eighty-nine ; “ An act making appropriations for the support of government for the year one thousand seven hundred and ninety,” passed the twenty-sixth day of March, one thousand seven hundred and ninety ; “ An act making certain appropriations therein mentioned,” passed the twelfth day of August, one thousand seven hundred and ninety, and the product, during the present year of such duties as shall be laid in the present session of Congress.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, February the 11th, 1791.

GEORGE WASHINGTON
President of the United States.

CHAPTER VII.

ACT *for the* ADMISSION *of the* STATE *of*
VERMONT *into this* UNION.

THE State of Vermont having petitioned the Congress to be admitted a member of the United States, *Be it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, and it is hereby enacted and declared,* That on the fourth day of March, one thousand seven hundred and ninety-^{State of Vermont to be admitted into union, 4th March, 1791.} e, the said State, by the name and stile of "the State of Vermont," shall be received and admitted into this Union, as a new and entire member of the United States of America.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, February the eighteenth, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER VIII.

ACT *to continue in Force, for a limited Time,*
an Act passed at the first Session of Congress, inti-
tuled, "An act to REGULATE PROCESSES in the
COURTS of the United States."

BE *it enacted by the SENATE and HOUSE of RE-*
PRESENTATIVES of the United States of America
Congress assembled, That an act passed on the
twenty-ninth day of September, in the year one

Former act
declared to
be in force
till the end
of next ses-
sion of Con-
gress.

thoufand feven hundred and eighty-nine, intituled
“ An act to regulate proceffes in the courts
the United States,” fhall be, and the fame heretofore
is continued in force, until the end of the next
feffion of Congress, and no longer.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, February the eighteenth, 1791.

GEORGE WASHINGTON
President of the United States.

CHAPTER IX.

An ACT regulating the Number of REPRESENTATIVES to be chosen by the States of KENTUCKY and VERMONT.

Until actual
enumeration
of inhabi-
tants
Kentucky
and Ver-
mont enti-
tled to 2
representa-
tives.

BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That until the Representatives in Congress shall be apportioned according to an actual enumeration of the inhabitants of the United States, the states of Kentucky and Vermont shall each be entitled to choose two Representatives.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, February the twenty-fifth, 1791.

GEORGE WASHINGTON
President of the United States.

CHAPTER X.

An ACT to INCORPORATE the SUBSCRIBERS to
the BANK of the UNITED STATES.

WHEREAS it is conceived that the establishment of a bank for the United States, upon a foundation sufficiently extensive to answer the purposes intended thereby, and at the same time upon the principles which afford adequate security for an upright and prudent administration hereof, will be very conducive to the successful conducting of the national finances ; will tend to give facility to the obtaining of loans, for the use of the government, in sudden emergencies ; and will be productive of considerable advantages to trade and industry in general : Therefore,

Preamble

Sec. 1. *BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled,* That a bank of the United States shall be established; the capital stock whereof shall not exceed ten millions of dollars, divided into twenty-five thousand shares, each share being four hundred dollars ; and that subscriptions, towards constituting the said stock, shall, on the first Monday of April next, be opened at the city of Philadelphia, under the superintendance of such persons, not less than three, as shall be appointed for that purpose by the President of the United States (who is hereby empowered to appoint the said persons accordingly) which subscriptions shall continue open, until the whole of the said stock shall have been subscribed.

Establishment of a bank of the U. States, & amount and vision of its stock, and time of subscribing.

Sec. 2. *And be it further enacted,* That it shall be lawful for any person, co-partnership, or body politic, to subscribe for such or so many shares, as he, she, or they shall think fit, not exceeding one thou-

By whom to be subscribed.

stand, except as shall be hereafter directed relative to the United States; and that the sums, respectively subscribed, except on behalf of the United States, shall be payable one fourth in gold and silver, and three fourths in that part of the public debt, which, according to the loan proposed in the fourth and fifteenth sections of the act, entitled "An act making provision for the debt of the United States," shall bear an accruing interest, at the time of payment, of six per centum per annum and shall also be payable in four equal parts, in the aforesaid ratio of specie to debt, at the distance of six calendar months from each other; the first whereof shall be paid at the time of subscription.

Proportions of gold and silver and the public debt to be subscribed, and

when to be paid,

Subscribers to be a body politic.

By what name and how long to continue.

Powers.

Limitation of stock.

To have a seal,

and establish bye-laws.

Sec. 3. *And be it further enacted,* That all those who shall become subscribers to the said bank, the successors and assigns, shall be, and are hereby created and made a corporation and body politic by the name and stile of *The President, Directors and Company, of the Bank of the United States*; and shall so continue, until the fourth day of March one thousand eight hundred and eleven: And that that name, shall be, and are hereby made able and capable in law, to have, purchase, receive, possess, enjoy, and retain to them and their successors, lands, rents, tenements, hereditament goods, chattels and effects of what kind, nature or quality soever, to an amount, not exceeding in the whole fifteen millions of dollars, including the amount of the capital stock aforesaid; and that the same to sue, grant, demise, aliene or dispose of to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in courts of record, or any other place whatsoever. And also to make, have, and use a common seal and the same to break, alter and renew, at their pleasure; and also to ordain, establish, and put in execution, such bye-laws, ordinances and regula-

ons, as shall seem necessary and convenient for the government of the said corporation, not being contrary to law, or to the constitution thereof (for which purpose, general meetings of the stockholders shall and may be called by the directors, and in the manner hereinafter specified) and generally to do and execute all and singular acts, matters and things, which to them it shall or may appertain to do; subject nevertheless to the rules, regulations, restrictions, limitations and provisions hereinafter prescribed and declared.

Sec. 4. *And be it further enacted*, That, for the well ordering of the affairs of the said corporation, there shall be twenty-five directors; of whom there shall be an election on the first Monday of January in each year, by the stockholders or proprietors of the capital stock of the said corporation, and by plurality of the votes actually given; and those who shall be duly chosen at any election, shall be capable of serving as directors, by virtue of such choice, until the end or expiration of the Monday of January next ensuing the time of such election, and no longer. And the said directors, at their first meeting after each election, shall choose one of their number as President.

Number, & time of electing directors.

And of a president.

Sec. 5. *Provided always, and be it further enacted*, That, as soon as the sum of four hundred thousand dollars, in gold and silver, shall have been actually received on account of the subscriptions to the said stock, notice thereof shall be given, by the persons under whose superintendance the same shall have been made, in at least two public gazettes printed in the city of Philadelphia; and the said persons shall, at the same time in like manner, notify a time and place within the said city, at the distance of ninety days from the time of such notification, for proceeding to the election of directors; and it shall

Proviso.

When 400,000 dollars in gold or silver shall be subscribed, notice begun, &c.

How directors shall be chosen, and time of service

be lawful for such election to be then and there made; and the persons, who shall then and there be chosen, shall be the first directors, and shall be capable of serving, by virtue of such choice, until the end or expiration of the Monday in January next ensuing the time of making the same, and shall forthwith thereafter commence the operation of the said bank, at the said city of Philadelphia. *And provided further*, That, in case it should at any time happen, that an election of directors should not be made upon any day when pursuant to this act it ought to have been made, the said corporation shall not for that cause, be deemed to be dissolved; but it shall be lawful, on any other day to hold and make an election of directors in such manner as shall have been regulated by the laws and ordinances of the said corporation. *And provided lastly*, That, in case of the death, resignation or absence from the United States, or removal of a director by the stockholders, his place may be filled up, by a new choice, for the remainder of the year.

Vacancies filled up.

Directors to appoint officers, &c.

Sec. 6. *And be it further enacted*, That the directors for the time being shall have power to appoint such officers, clerks, and servants under them, as shall be necessary for executing the business of the said corporation, and to allow them such compensation, for their services respectively, as shall be reasonable; and shall be capable of exercising such other powers and authorities, for the well governing and ordering of the affairs of the said corporation, as shall be described, fixed, and determined by the laws, regulations, and ordinances of the same.

Articles of constitution.

Sec. 7. *And be it further enacted*, That the following rules, restrictions, limitations and provisions, shall form and be fundamental articles of the constitution of the said corporation, viz.

I. The number of votes to which each stockholder shall be entitled, shall be according to the number of shares he shall hold, in the proportions following : That is to say, for one share, and not more than two shares, one vote : For every two shares above two, and not exceeding ten, one vote : For every four shares above ten, and not exceeding thirty, one vote : For every six shares above thirty, and not exceeding sixty, one vote : For every eight shares above sixty, and not exceeding one hundred, one vote : And for every ten shares above one hundred, one vote ;—But no person, co-partnership, or body politic shall be entitled to a greater number than thirty votes. And after the first election, no share or shares shall confer a right of suffrage, which shall not have been holden three calendar months previous to the day of election. Stockholders actually resident within the United States, and none other, may vote in elections by proxy.

Stockholders how to vote, in what proportion to sum subscribed, and

in certain cases may vote by proxy.

II. Not more than three fourths of the directors in office, exclusive of the president, shall be eligible for the next succeeding year : But the director, who shall be president at the time of an election, may always be re-elected.

Number of electors eligible for ensuing year, and

III. None but a stockholder, being a citizen of the United States, shall be eligible as a director.

who as directors.

IV. No director shall be entitled to any emolument, unless the same shall have been allowed by the stockholders at a general meeting. The stockholders shall make such compensation to the president, for his extraordinary attendance at the bank, as shall appear to them reasonable.

Compensation to be allowed.

V. Not less than seven directors shall constitute a board for the transaction of business, of whom, the president shall always be one, except in case of

How to constitute board.

sickness, or necessary absence; in which case his place may be supplied by any other director, who, he, by writing under his hand, shall nominate for the purpose.

Number of stockholders empowered to call a meeting, &c.

VI. Any number of stockholders, not less than sixty, who, together shall be proprietors of two hundred shares or upwards, shall have power at any time to call a general meeting of the stockholders for purposes relative to the institution, giving at least ten weeks notice, in two public gazettes, the place where the bank is kept, and specifying, in such notice, the object or objects of such meeting.

Cashier and treasurer to give bond.

VII. Every cashier or treasurer, before he enters upon the duties of his office, shall be required to give bond, with two or more sureties, to the satisfaction of the directors, in a sum not less than fifty thousand dollars, with condition for his good behaviour.

Limitation of property;

VIII. The lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as shall be requisite for its immediate accommodation in relation to the convenient transacting of its business, and such as shall have been *bona fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or purchased at sales upon judgments which shall have been obtained for such debts.

Amount of debts they shall at any time owe.

IX. The total amount of the debts, which the said corporation shall at any time owe, whether by bond, bill, note, or other contract, shall not exceed the sum of ten millions of dollars, over and above the monies then actually deposited in the bank for safe keeping, unless the contracting of any greater debt shall have been previously authorized by a law

of the United States. In case of excess, the directors, under whose administration it shall happen, shall be liable for the same, in their natural and private capacities ; and an action of debt, may in such case, be brought against them, or any of them, their heirs, executors or administrators, in any court of record of the United States, or of either of them, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution ; any condition, covenant, or agreement to the contrary notwithstanding. But this shall not be construed to exempt the said corporation, or the lands, tenements, goods or chattels of the same, from being also liable for and chargeable with the said excess. Such of the said directors, who may have been absent when the said excess was contracted or created, or who may have dissented from the resolution or act whereby the same was so contracted or created, may respectively exonerate themselves from being so liable, by forthwith giving notice of the fact, and of their absence or dissent, to the President of the United States, and to the stockholders, at a general meeting, which they shall have power to call for that purpose.

In case of excess, directors accountable in private capacities ; and

may be prosecuted.

Exception in favor of absentees at time of excess.

X. The said corporation may sell any part of the public debt whereof its stock shall be composed, but shall not be at liberty to purchase any public debt whatsoever ; nor shall directly or indirectly deal or trade in any thing, except bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent and not redeemed at due time ; or of goods which shall be the produce of its lands. Neither shall the said corporation take more than at the rate of six per centum per annum, for or upon its loans or discounts.

Corporation may sell public debt in stock, but not purchase, &c.

and take not more than 6 per cent. per an.

XI. No loan shall be made by the said corporation, for the use or on account of the government

How & for what objects to make loans. of the United States, to an amount exceeding one hundred thousand dollars, or of any particular state to an amount exceeding fifty thousand dollars or of any foreign prince or state, unless previously authorized by a law of the United States.

And bills, &c. shall

XII. The stock of the said corporation shall be assignable and transferable, according to such rules as shall be instituted in that behalf, by the law and ordinances of the same.

be assignable

and

obligatory.

XIII. The bills obligatory and of credit, under the seal of the said corporation, which shall be made to any person or persons, shall be assignable by indorsement thereupon, under the hand or hands of such person or persons, and of his, her, or the assignee or assignees, and so as absolutely to transfer and vest the property thereof in each and every assignee or assignees successively, and to enable such assignee or assignees to bring and maintain an action thereupon in his, her, or their own name or names. And bills or notes, which may be issued by order of the said corporation, signed by the president, and countersigned by the principal cashier or treasurer thereof, promising the payment of money to any person or persons, his, her, or their order, or to bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the same, in the like manner, and with the like force and effect, as upon any private person or persons, if issued by him or them, in his, her, or their private or natural capacity or capacities; and shall be assignable and negotiable, in like manner, as they were so issued by such private person or persons—that is to say, those which shall be payable to any person or persons, his, her, or their order shall be assignable by indorsement, in like manner and with the like effect, as foreign bills of exchange now are; and those which are payable

earer, shall be negotiable and assignable by delivery only.

XIV. Half yearly dividends shall be made of so much of the profits of the bank, as shall appear to the directors adviseable; and once in every three years, the directors shall lay before the stockholders, at a general meeting, for their information, an exact and particular statement of the debts, which shall have remained unpaid after the expiration of the original credit, for a period of treble the term of that credit; and of the surplus of profit, if any, after deducting losses and dividends. If there shall be a failure in the payment of any part of any sum, subscribed by any person, co-partnership, or body politic, the party failing shall lose the benefit of any dividend, which may have accrued, prior to the time for making such payment, and during the delay of the same.

Dividends
of profits
made.

XV. It shall be lawful for the directors aforesaid, to establish offices wheresoever they shall think fit, within the United States, for the purposes of discount and deposit only, and upon the same terms, and in the same manner, as shall be practised at the bank; and to commit the management of the said offices, and the making of the said discounts, to such persons, under such agreements, and subject to such regulations as they shall deem proper; not being contrary to law, or to the constitution of the bank.

Offices may
be establish-
ed within
U. States,
for discount
and deposit
only, &c.

XVI. The officer at the head of the treasury department of the United States, shall be furnished, from time to time, as often as he may require, not exceeding once a week, with statements of the amount of the capital stock of the said corporation, and of the debts due to the same; of the monies deposited therein; of the notes in circulation, and of the cash in hand; and shall have a right to in-

Officer at
the head of
the treasury,
to be
furnished
with state-
ments.

inspect such general accounts in the books of the bank, as shall relate to the said statements. : *Provided*, That this shall not be construed to imply right of inspecting the account of any private individual or individuals with the bank.

Not of private nature.

Penalty for buying or selling goods, &c.

Sec. 8. *And be it further enacted*, That if the said corporation, or any person or persons for or to the use of the same, shall deal or trade in buying or selling any goods, wares, merchandize, or commodities whatsoever, contrary to the provision of this act, all and every person and persons, by whom any order or direction for so dealing or trading shall have been given, and all and every person and persons who shall have been concerned as parties or agents therein, shall forfeit and lose treble the value of the goods, wares, merchandizes, and commodities, in which such dealing and trade shall have been; one half thereof to the use of the informer, and the other half thereof to the use of the United States, to be recovered with costs of suit.

How money may be advanced or lent.

Sec. 9. *And be it further enacted*, That if the said corporation shall advance or lend any sum, for the use or on account of the government of the United States, to an amount exceeding one hundred thousand dollars; or of any particular state to an amount exceeding fifty thousand dollars; or of any foreign prince or state, (unless previously authorized thereto by a law of the United States) all and every person and persons, by and with whose order, agreement, consent, approbation, or connivance, such unlawful advance or loan, shall have been made upon conviction thereof, shall forfeit and pay, for every such offence, treble the value or amount of the sum or sums which shall have been so unlawfully advanced or lent; one fifth thereof to the use of the informer, and the residue thereof to the use of the United States; to be disposed of by law and not otherwise.

Sec. 10. *And be it further enacted,* That the bills or notes of the said corporation, originally made payable, or which shall have become payable on demand, in gold and silver coin, shall be receivable for all payments to the United States.

Bills or notes made receivable by U. States.

Sec. 11. *And be it further enacted,* That it shall be lawful for the President of the United States, at any time or times, within eighteen months after the first day of April next, to cause a subscription to be made to the stock of the said corporation, as part of the aforesaid capital stock of ten millions of dollars, on behalf of the United States, to an amount not exceeding two millions of dollars; to be paid out of the monies which shall be borrowed by virtue of either of the acts, the one entitled, "An act making provision for the debt of the United States;" and the other entitled, "An act making provision for the reduction of the public debt;" borrowing of the bank an equal sum, to be applied to the purposes, for which the said monies shall have been procured; reimbursable in ten years, by equal annual installments; or at any time sooner, or in any greater proportions, that the government may think fit.

Subscriptions made by U. States, how to be paid, &c.

Sec. 12. *And be it further enacted,* That no other bank shall be established by any future law of the United States, during the continuance of the corporation hereby created; for which the faith of the United States is hereby pledged.

No other bank to be established.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, February the twenty-fifth, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XI.

*An ACT supplementary to the Act, intituled, "A
Act to INCORPORATE the SUBSCRIBERS to the
BANK of the United States.*

Section 1. **B**E it enacted by the SENATE and HOUSES of REPRESENTATIVES of the United States of America in Congress assembled, That the subscriptions to the stock of the bank of the United States, as provided by the act, intituled, "An act to incorporate the subscribers to the bank of the United States," shall not be opened until the first Monday in July next.

Subscriptions to bank stock prolonged.

Time of first payment.

Sec. 2. *And be it further enacted,* That so much of the first payment as by the said act is directed to be in the six per cent. certificates of the United States, may be deferred until the first Monday in January next.

Not more than thirty shares to be subscribed at one time.

Sec. 3. *And be it further enacted,* That no person, corporation, or body politic, except in behalf of the United States, shall, for the space of three months after the said first Monday in July next subscribe in any one day, for more than thirty shares.

Specie proportion, when to be paid, and failure in future payments to forfeit sum first paid.

Sec. 4. *And be it further enacted,* That every subscriber shall, at the time of subscribing, pay into the hands of the persons who shall be appointed to receive the same, the specie proportion required by the said act to be then paid. And if any such subscriber shall fail to make any of the future payments, he shall forfeit the sum so by him first paid, for the use of the corporation.

Sec. 5. *And be it further enacted,* That such part of the public debt, including the assumed debt, as is funded at an interest of three per cent. may be

aid to the bank, in like manner with the debt funded at six per cent. computing the value of the former at one half the value of the latter, and reserving to the subscribers who shall have paid three per cent. stock, the privilege of redeeming the same with six per cent. stock, at the above rate of computation, at any time before the first day of January, one thousand seven hundred and ninety-three; unless the three per cent. stock shall have been previously disposed of by the directors.

In what manner public debt funded at 3 per cent. may be paid to the bank.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the second, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XII.

An ACT giving EFFECT to the LAWS of the UNITED STATES within the State of VERMONT.

Section 1. **B**E it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That from and after the third day of March next, all the laws of the United States, which are not locally inapplicable, ought to have, and shall have, the same force and effect within the state of Vermont, as elsewhere within the United States.

Laws of the U. States extended to Vermont;

And to the end that the act, intituled, "An act to establish the judicial courts of the United States," may be duly administered within the said state of Vermont,

Vermont to
be a district
and have a
district
court and
judge.

Number &
time of ses-
sions,

and where-
held.

Sec. 2. *Be it further enacted,* That the said state shall be one district, to be denominated Vermont District; and there shall be a district court therein, to consist of one judge, who shall reside within the said district, and be called a district-judge, and shall hold annually four sessions; the first shall commence on the first Monday in May next, and the three other sessions progressively on the like Monday of every third calendar month afterwards. The said district court shall be held alternately in the towns of Rutland and Windsor, beginning with the first.

Annexed to
the eastern
circuit, and
have a cir-
cuit court;

where held.

Sec. 3. *And be it further enacted,* That the said district shall be, and the same hereby is annexed to the eastern circuit. And there shall be held annually in the said district one circuit court; the first session shall commence on the seventeenth day of June next, and the subsequent sessions on the like day of June afterwards, except when any of the said days shall happen on a Sunday, and then the session shall commence on the day following. And the said sessions of the said circuit courts shall be held at the town of Bennington.

Compensa-
tion to the
judge.

Sec. 4. *And be it further enacted,* That there shall be allowed to the judge of the said district court the yearly compensation of eight hundred dollars, to commence from the time of his appointment, and to be paid quarter-yearly at the treasury of the United States.

An enumera-
tion of the
inhabitants
to be made.

Sec. 5. *And be it further enacted,* That all the regulations, provisions, directions, authorities, penalties, and other matters whatsoever, (except as herein afterwards is expressly provided) contained and expressed in and by the act, intituled, "An act providing for the enumeration of the inhabitants of the United States," shall have the same force and effect within the said state of Vermont, as if the same were, in relation thereto, repeated and re-enacted in and by this present act.

Sec. 6. *And be it further enacted,* That the enumeration of the inhabitants of the said state shall commence on the first Monday of April next, and shall close within five calendar months thereafter.

Enumeration of inhabitants, when to commence.

Sec. 7. *And be it further enacted,* That the marshal of the district of Vermont shall receive in full compensation for all the duties and services confided to, and enjoined upon him in and by this act in taking the enumeration aforesaid, two hundred dollars.

Compensation to the marshal therefor.

And that the act, intituled, "An act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandize imported into the United States, and on the tonnage of ships and vessels," may be carried into effect in the said state of Vermont :

Duties on articles imported within said state how to be collected.

Sec. 8. *Be it further enacted,* That for the due collection of the said duties, there shall be in the said state of Vermont one district; and a collector shall be appointed, to reside at Allburgh on Lake Champlain, which shall be the only port of entry or delivery within the said district, of any goods, wares or merchandize, not the growth or manufacture of the United States.

Port of entry and delivery.

Provided nevertheless, That the exception contained in the sixty-ninth section of the act last above mentioned, relative to the district of Louisville, shall be and is hereby extended to the said port of Allburgh.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the second, 1791.

GEORGE WASHINGTON,
President of the United States.

C H A P T E R XIII.

An ACT to explain and amend an Act, intituled
“ An Act making further Provision for the paymen
of the Debts of the United States.”

Duty laid on
bar lead ex-
tended to
manufac-
tures of
lead.

Section 1. **B**E it enacted by the SENATE and HOUSE
of REPRESENTATIVES of the Unite
States of America in Congress assembled, That the
duty of one cent per pound, laid by the act “ makin
further provision for the payment of the debts o
the United States,” on barr and other lead, shall b
deemed and taken to extend to all manufacture
wholly of lead, or in which lead is the chief arti
cle, which shall hereafter be brought into the Unite
States, from any foreign port or place.

Duty laid
on chintzes,
&c. extend-
ed to ma-
nufactures
of coloured
linen or cot-
ton.

Sec. 2. *And be it further enacted,* That the duty o
seven and a half per cent ad valorem, laid by the ac
aforesaid on chintzes, and coloured calicoes, shall b
deemed and taken to extend to all printed, staine
and coloured goods, or manufactures of cottor
or of linen, or of both, which hereafter shall b
brought into the United States from any foreig
port or place.

Provided always, That nothing in this act sha
in any wise affect the true construction or meanin
of the act aforesaid in relation to any of the abov
described articles brought into the United State
before the passing of this act.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, March the second 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XIV.

An ACT fixing the Time for the next annual Meeting of CONGRESS.

BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That after the third day of March next, the first annual meeting of Congress shall be on the fourth Monday of October next.

Time for
the meeting
of the next
Congress.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,
and President of the Senate.*

APPROVED, March the second, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XV.

An ACT repealing, after the last Day of June next, the DUTIES heretofore laid upon DISTILLED SPIRITS imported from abroad, and laying others in their Stead; and also upon SPIRITS DISTILLED within the United States, and for appropriating the same.

Section I. BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That after the last day of June next, the duties laid upon distilled spirits by the act, intituled, "An act making further provision for the payment of the debts of the

Duties to be
paid on
spirits im-
ported;

United States," shall cease; and that upon all distilled spirits which shall be imported into the United States after that day, from any foreign port or place, there shall be paid for their use the duties following; that is to say—For every gallon of those spirits more than ten per cent below proof, according to Dicus's hydrometer, twenty cents. For every gallon of those spirits under five, and not more than ten per cent below proof, according to the same hydrometer, twenty-one cents. For every gallon of those spirits of proof, and not more than five per cent below proof, according to the same hydrometer, twenty-two cents. For every gallon of those spirits above proof, but not exceeding twenty per cent according to the same hydrometer, twenty-five cents. For every gallon of those spirits more than twenty, and not more than forty per cent above proof, according to the same hydrometer, thirty cents. For every gallon of those spirits more than forty per cent above proof, according to the same hydrometer, forty cents.

how to be
collected;

Sec. 2. *And be it further enacted*, That the said duties shall be collected in the same manner, by the same persons, under the same regulations, and subject to the same forfeitures and other penalties, as those heretofore laid; the act concerning which shall be deemed to be in full force for the collection of the duties herein before imposed, except to the alterations contained in this act.

and the pay-
ment there-
of how to
be secured.

Sec. 3. *And be it further enacted*, That the said duties, when the amount thereof shall not exceed fifty dollars, shall be immediately paid; but when the said amount shall exceed fifty, and shall not amount to more than five hundred dollars, may, at the option of the proprietor, importer or consignee, be either immediately paid, or secured by bond with condition for the payment thereof in full

months; and if the amount of the said duties shall exceed five hundred dollars, the same may be immediately paid or secured by bond, with condition for the payment thereof in six months; which bond, in either case, at the like option of the proprietor, importer or consignee, shall either include one or more sureties to the satisfaction of the collector, or person acting as such, or shall be accompanied with a deposit in the custody of the said collector, or person acting as such, of so much of the said spirits as shall in his judgment be a sufficient security for the amount of the duties for which the said bond shall have been given, and the charges of the safe keeping and sale of the spirits so deposited; which deposit shall and may be accepted in lieu of the said surety or sureties, and shall be kept by the said collector, or person acting as such, with due and reasonable care at the expense and risk of the party or parties on whose account the same shall have been made; and if at the expiration of the time mentioned in the bond for the payment of the duties thereby intended to be secured, the same shall not be paid, then the said deposited spirits shall be sold at public sale, and the proceeds thereof, after deducting the charges of keeping and sale, shall be applied to the payment of the whole sum of the duties for which such deposit shall have been made, rendering the overplus of the said proceeds, and the residue of the said spirits, if any there be, to the person or persons by whom such deposit shall have been made, or to his, her or their representatives.

Payment of duties on spirits imported, how to be secured.

Sec. 4. In order to a due collection of the duties imposed by this act, *Be it further enacted*, That the United States shall be divided into fourteen districts, each consisting of one state, but subject to alterations by the President of the United States, from time to time, by adding to the smaller such portions of the greater as shall in his judgment best

To be divided into districts consisting each of a state;

tend to secure and facilitate the collection of the revenue; which districts it shall be lawful for the President of the United States to subdivide into surveys of inspection, and the same to alter at his discretion. That the President be authorized to appoint, with the advice and consent of the Senate, a supervisor to each district, and as many inspectors to each survey therein as he shall judge necessary, placing the latter under the direction of the former. *Provided always*, That it shall and may be lawful for the President, with the advice and consent of the Senate, in his discretion to appoint, such and so many officers of the customs to be inspectors in any survey of inspection as he shall deem advisable to employ in the execution of this act: *Provided also*, That where, in the judgment of the President, a supervisor can discharge the duties of that office, and also that of inspector, he may direct the same: *And provided further*, That if the appointment of the inspectors of surveys, or any part of them, shall not be made during the present session of Congress, the President may, and he is hereby empowered to make such appointments during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Districts to be subdivided into surveys of inspection.

A supervisor to be appointed for the districts, and inspectors for the surveys.

Officers of the customs and supervisors eligible as inspectors.

Appointment of inspectors to be made during the recess.

Supervisors and inspectors to keep accounts & records of their transactions;

submit the same to a proper officer;

Sec. 5. *And be it further enacted*, That the supervisors, inspectors and officers to be appointed by virtue of this act, and who shall be charged to take bonds for securing the payment of the duties upon spirits distilled within the United States, and with the receipt of monies in discharge of such duties, shall keep fair and true accounts and records of their transactions in their respective offices, in such manner and form as may be directed by the proper department or officer having the superintendance of the collection of the revenue, and shall at all times submit their books, papers and accounts to the inspection of such persons as are or may be

appointed for that purpose, and shall at all times pay to the order of the officer, who is or shall be authorized to direct the payment thereof, the whole of the monies which they may respectively receive by virtue of this act, and shall also once in every three months, or oftener if they shall be required, transmit their accounts for settlement to the officer or officers whose duty it is, or shall be to make such settlement.

Supervisors and inspectors to pay all the monies they receive; and

settle their accounts quarterly.

Sec. 6. *And be it further enacted,* That all officers and persons to be appointed pursuant to this act, before they enter on the duties of their respective offices, shall take an oath or affirmation diligently and faithfully to execute the duties of their said offices respectively, and to use their best endeavors to prevent and detect frauds, in relation to the duties on spirits imposed by this act, which oath or affirmation may be taken before any magistrate authorized to administer oaths within the district or survey to which he belongs, and being certified under the hand and seal of the magistrate by whom the same shall have been administered, shall within three months thereafter be transmitted to the comptroller of the treasury, in default of taking which oath or affirmation, the party failing shall forfeit and pay two hundred dollars for the use of the United States, to be recovered with costs of suit.

Persons to be appointed under this act to take an oath,

and transmit it to the comptroller;

Penalty in default thereof.

Sec. 7. *And be it further enacted,* That the supervisor of the revenue for each district, shall establish one or more offices within the same, as may be necessary; and in order that the said offices may be publicly known, there shall be painted or written in large legible characters upon some conspicuous part outside and in front of each house, building or place in which any such office shall be kept, these words, "OFFICE OF INSPECTION;"

Offices of inspection to be established.

and if any person shall paint or write, or cause to be painted or written, the said words, upon any other than such house or building, he or she shall forfeit and pay for so doing, one hundred dollars.

Report to
be made to
inspectors of
importation
of spirits;

Sec. 8. *And be it further enacted,* That within forty-eight hours after any ship or vessel, having on board any distilled spirits brought in such ship or vessel from any foreign port or place, shall arrive within any port of the United States, whether the same be the first port of arrival of such ship or vessel, or not, the master or person having the command or charge thereof, shall report to one of the inspectors of the port at which she shall so arrive the place from which she last sailed, with her name and burthen, and the quantity and kinds of the said spirits on board of her, and the casks, vessels or cases containing them, with their marks and numbers; on pain of forfeiting the sum of five hundred dollars.

which the
collector

Sec. 9. *And be it further enacted,* That the collector or other officer, or person acting as collector with whom entry shall have been made of any of the said spirits, pursuant to the act, intituled, "An act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandizes imported into the United States, and on the tonnage of ships or vessels," shall forthwith after such entry certify and transmit the same, particularly as it shall have been made with him to the proper officer of inspection, of the port where it shall be intended to commence the delivery of the spirits so entered, or any part thereof: for which purpose, every proprietor, importer or consignee, making such entry, shall deliver two manifests of the contents (upon one of which the said certificate shall be given) and shall at the time

shall certify
and send to
the officer
of inspection
where
the spirits
shall be de-
livered.

ereof declare the port at which the said delivery shall be so intended to be commenced, to the collector or officer with whom the same shall be made. And every permit granted by such collector, for the landing of any of the said spirits, shall previous to such landing, be produced to the said officer of inspection, who shall make a minute in some proper book, of the contents thereof, and shall endorse thereupon the word "INSPECTED," the time when, and his own name: after which he shall return it to the person by whom it shall have been produced; and then, and not otherwise it shall be lawful to land the spirits therein specified; and the said spirits shall be landed without such endorsement upon the permit for that purpose granted, the master or person having charge of the ship or vessel from which the same shall have been so landed, shall for every such offence forfeit the sum of five hundred dollars.

Endorsement on permits by inspectors necessary previous to the landing of it; and

penalty on failure thereof,

Sec. 10. *And be it further enacted,* That whenever it shall be intended that any ship or vessel shall proceed with the whole or any part of the spirits which shall have been brought in such ship or vessel from any foreign port or place, from one port in the United States to another port in the said United States, whether in the same or in different districts, the master or person having the command and charge of such ship or vessel, shall previous to her departure, apply to the officer of inspection, to whom report was made, for the port from which she is about to depart, for a certificate of the quantity and particulars of such of the said spirits as shall have been certified or reported to him to have been entered as imported in such ship or vessel, and of so much thereof as shall appear to him to have been landed out of her at such port; which certificate the said officer shall forthwith grant. And the

Spirits brought into one port, intended to be sent to another in the United States,

shall be so certified by an inspector;

and penalty on masters of vessels for neglecting to comply herewith ;

master or person having the command or charge such ship or vessel, shall within twenty-four hours after her arrival at the port to which she shall bound, deliver the said certificate to the proper officer of inspection of such last mentioned port. And if such ship or vessel shall proceed from one port to another within the United States, with the whole or any part of the spirits brought in her as aforesaid, without having first obtained such certificate ; or if within twenty-four hours after her arrival at such other port, the said certificate shall not be delivered to the proper officer of inspection there, the master or person having the command or charge of the said ship or vessel, shall in either case forfeit the sum of five hundred dollars ; and the spirits on board of her at her said arrival, shall be forfeited, and may be seized by any officer of inspection.

and forfeiture of said spirits.

Spirits imported as aforesaid how to be landed ;

Sec. 11. *And be it further enacted,* That all spirits which shall be imported as aforesaid, shall be landed under the inspection of the officer or officers of inspection for the place where the same shall be landed, and not otherwise, on pain of forfeiture thereof ; for which purpose the said officer or officers shall, at all reasonable times, attend : *Provided* that this shall not be construed to exclude the inspection of the officers of the customs as now established and practised.

and duties of officers of inspection when landed.

Sec. 12. *And be it further enacted,* That the officers of inspection under whose survey any of the said spirits shall be landed, shall upon landing thereof, and as soon as the casks, vessels and cases containing the same shall be gauged or measured brand or otherwise mark in durable character the several casks, vessels or cases containing the same, with progressive numbers ; and also with the name of the ship or vessel wherein the same were

were imported, and of the port of entry, and with the proof and quantity thereof; together with such other marks, if any other shall be deemed needful, as the respective supervisors of the revenue may direct. And the said officer shall keep a book, wherein he shall enter the name of each vessel in which any of the said spirits shall be so imported, and of the port of entry and of delivery, and of the master of such vessel, and of each importer, and of the several casks, vessels and cases containing the same, and the marks of each: and if such officer is not the chief inspector within the survey, he shall as soon as may be thereafter, make an exact transcript of each entry, and deliver the same to such chief officer, who shall keep a like book for recording the said transcript.

Sec. 13. *And it be further enacted,* That the chief officer of inspection within whose survey any of the said spirits shall be landed, shall give to the proprietor, importer or consignee thereof, or his or her agent, a certificate to remain with him or her, of the whole quantity of the said spirits which shall have been so landed; which certificate, besides the said quantity, shall specify the name of such proprietor, importer or consignee, and of the vessel from the board which the said spirits shall have been landed, and of the marks of each cask, vessel or case containing the same. And the said officer shall deliver to the said proprietor, importer or consignee, or his or her agent, a like certificate for each cask, vessel or case; which shall accompany the same wheresoever it shall be sent, as evidence of its being lawfully imported. And the officer granting the said certificates, shall make regular and exact entries in the book to be by him kept as aforesaid, of all spirits for which the same shall be granted, as particularly as therein described. And the said proprietor, importer or consignee, or his or her

Officer of inspection to certify the quantity of spirits landed,

which shall serve to shew the legality of its importation

and to make entries thereof;

which certificates shall be delivered to purchasers; penalty on failure thereof.

agent, upon the sale and delivery of any of the said spirits, shall deliver to the purchaser or purchaser thereof, the certificate or certificates which ought to accompany the same; on pain of forfeiting the sum of fifty dollars, for each cask, vessel or car with which such certificate shall not be delivered.

Duties on spirits distilled within the U. States from foreign materials;

Sec. 14. *And be it further enacted,* That upon all spirits which after the said last day of June next shall be distilled within the United States, wholly or in part from molasses, sugar, or other foreign materials, there shall be paid for their use the duties following; that is to say—For every gallon of those spirits more than ten per cent below proof, according to Dicus's hydrometer, eleven cents. For every gallon of those spirits under five and not more than ten per cent below proof, according to the same hydrometer, twelve cents. For every gallon of those spirits of proof and not more than five per cent below proof, according to the same hydrometer, thirteen cents. For every gallon of those spirits above proof, and not exceeding twenty per cent, according to the same hydrometer, fifteen cents. For every gallon of those spirits more than twenty and not more than forty per cent above proof, according to the same hydrometer, twenty cents. For every gallon of those spirits more than forty per cent above proof, according to the same hydrometer, thirty cents.

and on those from home articles;

Sec. 15. *And be it further enacted,* That upon all spirits which after the said last day of June next shall be distilled within the United States, from an article of the growth or produce of the United States, in any city, town or village, there shall be paid for their use the duties following; that is to say—For every gallon of those spirits more than ten per cent below proof, according to Dicus's hydrometer, nine cents. For every gallon of those spi

rits under five and not more than ten per cent below proof, according to the same hydrometer, ten cents. For every gallon of those spirits of proof, and not more than five per cent below proof, according to the same hydrometer, eleven cents. For every gallon of those spirits above proof, but not exceeding twenty per cent, according to the same hydrometer, thirteen cents. For every gallon of those spirits more than twenty and not more than forty per cent above proof, according to the same hydrometer, seventeen cents. For every gallon of those spirits more than forty per cent above proof, according to the same hydrometer, twenty-five cents.

Duties on spirits distilled from home articles ;

Sec. 16. *And be it further enacted,* That the said duties on spirits distilled within the United States, shall be collected under the management of the supervisors of the revenue,

how to be collected.

Sec. 17. *And be it further enacted,* That the said duties on spirits distilled within the United States, shall be paid or secured previous to the removal thereof from the distilleries at which they are respectively made. And it shall be at the option of the proprietor or proprietors of each distillery, or of his, her or their agent having the superintendance thereof, either to pay the said duties previous to such removal, with an abatement at the rate of two cents for every ten gallons, or to secure the payment of the same, by giving bond quarter-yearly, with one or more sureties, to the satisfaction of the chief officer of inspection within whose survey such distillery shall be, and in such sum as the said officer shall direct, with condition for the payment of the duties upon all such of the said spirits as shall be removed from such distillery, within three months next ensuing the date of the bond, at the expiration of nine months from the said date.

Duties on spirits distilled within the U. States, how to be secured

and paid.

Supervisors
to appoint
officers to
attend to
distilleries.

Sec. 18. *And be it further enacted,* That the supervisor of each district shall appoint proper officers to have the charge and survey of the distilleries within the same, assigning to each, one or more distilleries as he may think proper, who shall attend such distillery at all reasonable times, for the execution of the duties by this act enjoined on him.

Casks to be
branded
and gauged
before a re-
moval
therefrom,

Sec. 19. *And be it further enacted,* That previous to the removal of the said spirits from any distillery, the officer within whose charge and survey the same may be, shall brand or otherwise mark each cask containing the same, in durable characters, and with progressive numbers, and with the name of the acting owner or other manager of such distillery, and of the place where the same was situate, and with the quantity therein, to be ascertained by actual gauging, and with the proof thereof. And the duties thereupon having been first paid, or secured, as above provided, the said officer shall grant a certificate for each cask of the said spirits, to accompany the same wheresoever it shall be sent, purporting that the duty thereon hath been paid or secured, as the case may be, and describing each cask by its marks; and shall enter in a book for that purpose to be kept, all the spirits distilled at such distillery, and removed from the same; and the marks of each cask, and the persons for whose use, and the places to which removed, and the time of each removal, and the amount of the duties on the spirits so removed. And if any of the said spirits shall be removed from any such distillery without having been branded or marked as aforesaid, or without such certificate as aforesaid, the same, together with the cask or casks containing, and the horses or cattle, with the carriages, their harness and tackling, and the vessel or boat with its tackle and apparel employed in removing them, shall be forfeited, and may be seized by any

and so cer-
tified by
said officer,
and entered
in a book
accordingly.

Forfeiture
for remov-
ing spirits
without
such certifi-
cate, and

officer of inspection. And the superintendant or manager of such distillery, shall also forfeit the full value of the spirits so removed, to be computed at the highest price of the like spirits in the market.

Sec. 20. *And be it further enacted,* That no spirits shall be removed from any such distillery at any other times than between sun-rising and sun-setting, except by consent and in presence of the officer having the charge and survey thereof, on pain of forfeiture of such spirits, or of the value thereof at the highest price in the market, to be recovered with costs of suit from the acting owner or manager of such distillery.

for removing spirits from distilleries without authority.

Sec. 21. *And be it further enacted,* That upon stills which after the last day of June next, shall be employed in distilling spirits from materials of the growth or production of the United States, in any other place than a city, town or village, there shall be paid for the use of the United States, the yearly duty of sixty cents for every gallon, English wine-measure, of the capacity or content of each and every such still, including the head thereof.

Duty on private stills.

Sec. 22. *And be it further enacted,* That the evidence of the employment of the said stills shall be, their being erected in stone, brick or some other manner whereby they shall be in a condition to be worked.

Evidence of their employment ;

Sec. 23. *And be it further enacted,* That the said duties on stills shall be collected under the management of the supervisor in each district, who shall appoint and assign proper officers for the surveys of the said stills and the admeasurement thereof, and the collection of the duties thereupon ; and the said duties shall be paid half-yearly, within the first fifteen days of January and July, upon demand

how it is to be collected ; and

what to be done in case of refusal to pay it.

of the proprietor or proprietors of each still, at his, her or their dwelling, by the proper officer charged with the survey thereof: And in case of refusal or neglect to pay, the amount of the duties so refused or neglected to be paid, may either be recovered with costs of suit in an action of debt in the name of the supervisor of the district, within which such refusal shall happen, for the use of the United States, or may be levied by distress and sale of goods of the person or persons refusing or neglecting to pay, rendering the overplus (if any there be after payment of the said amount and the charges of distress and sale) to the said person or persons.

Proprietors of stills to have a right to keep an account of the quantity they distill,

Sec. 24. *And be it further enacted*, That if the proprietor of any such still, finding himself or herself aggrieved by the said rates, shall enter or cause to be entered in a book to be kept for that purpose, from day to day when such still shall be employed, the quantity of spirits distilled therefrom, and the quantity from time to time sold or otherwise disposed of, and to whom and when, and shall produce the said book to the officer of inspection within whose survey such still shall be, and shall make oath or affirmation that the same doth contain to the best of his or her knowledge and belief, true entries made at their respective dates, of all the spirits distilled within the time to which such entries shall relate, from such still, and of the disposition thereof; and shall also declare upon such oath or affirmation, the quantity of such spirits then remaining on hand, it shall be lawful in every such case for the said officer to whom the said book shall be produced, and he is hereby required to estimate the duties upon such still, according to the quantity so stated to have been actually made therefrom at the rate of nine cents per gallon, which, and no more, shall be paid for the same: *Provided*, That if the said entries shall be

which shall furnish a rule whereby the duties may be estimated.

made by any person other than the said proprietor, a like oath or affirmation shall be made by such person.

And the more effectually to prevent the evasion of the duties hereby imposed on spirits distilled within the United States,

Sec. 25. *Be it further enacted,* That every person who shall be a maker or distiller of spirits from molasses, sugar or other foreign materials, or from materials the growth and production of the United States, shall write or paint, or cause to be written or painted upon some conspicuous part outside and in front of each house or other building or place made use of, or intended to be made use of by him or her for the distillation or keeping of spiritous liquors, and upon the door or usual entrance of each vault, cellar or apartment within the same, in which any of the said liquors shall be at any time by him or her distilled, deposited or kept, or intended so to be, the words "Distiller of Spirits;" and every such distiller shall within three days before he or she shall begin to distil therein, make a particular entry in writing, at the nearest office of inspection, if within ten miles thereof, of every such house, building or place, and of each vault, cellar and apartment within the same, in which he or she shall intend to carry on the business of distilling, or to keep any spirits by him or her distilled. And if any such distiller shall omit to paint or write, or cause to be painted or written the words aforesaid, in manner aforesaid, upon any such house or other building or place, or vault, cellar or apartment thereof, or shall, in case the same be situate within the said distance of ten miles of any office of inspection, omit to make entry thereof as aforesaid, such distiller shall for every such omission or neglect, forfeit one hundred dollars, and all the

Distillers to place their occupations on the outside of their distilleries;

and furnish the inspector with an account of their buildings, &c.

penalty in case of neglect thereof.

spirits which he or she shall keep therein, or the value thereof, to be computed at the highest price of such spirits in the market; to be recovered by action, with costs of suit, in any court proper to try the same, in the name of the supervisor of the district within which such omission or neglect or omission shall be, for the use of the United States *Provided always, and be it further enacted,* That the said entry to be made by persons who shall be distillers of spirits, on the first day of July next shall be made on that day, or within three days thereafter, accompanied (except where the duties hereby imposed are charged on the still) with a true and particular account or inventory of the spirit on that day and at the time, in every or any house, building or place by him or her entered; and the casks, cases and vessels containing the same with their marks and numbers, and the quantities and qualities of the spirits therein contained, on pain of forfeiting for neglect to make such entry or to deliver such account, the sum of one hundred dollars, and all the spirits by him or her had kept in any such house, building or place; to be recovered as aforesaid.

When the said entry is to be furnished, and

forfeiture in case of neglect.

Supervisors to inspect entered buildings, &c.

take an account of the spirits therein, and brand the casks;

Sec. 26. *And be it further enacted,* That the supervisor of the revenue for the district wherein any house, building or place shall be situate, where entry shall be made as last aforesaid, shall as soon as may be thereafter, visit and inspect, or cause to be visited and inspected by some proper officer or officers of inspection, every such house or other building or place within his district, and shall take or cause to be taken, an exact account of the spirits therein respectively contained, and shall mark the same to be marked in durable characters, the several casks, cases or vessels containing the same with progressive numbers, and also with the name of each distiller to whom the same may belong,

in whose custody the same may be, and the quantities, kinds and proofs of spirits therein contained, and these words, "Old Stock." And the inspector of each survey shall keep a book, wherein he shall enter the name of every distiller, and the particulars of such old stock in the possession of each, designating the several casks, cases and vessels containing the same, and their respective quantities, kinds, proofs and marks, and shall also give a certificate to every such distiller of the quantity and particulars of such old stock in his or her possession, and a separate certificate for each cask, case or vessel describing the same, which certificate shall accompany the same wheresoever it shall be sent, and such distiller, his or her agent or manager, upon the sale and delivery of any of the said spirits shall deliver to the purchaser or purchasers thereof, the certificates or certificates that ought to accompany the same, on pain of forfeiting fifty dollars for each cask, case or vessel, with which such certificate shall not be delivered.

an entry of which shall be made by the inspector,

and a certificate given to the proprietor.

Sec. 27. *And be it further enacted,* That every importer of distilled spirits, who, on the first day of July next, shall have in his or her possession any distilled spirits, shall, within three days thereafter, make due entry thereof with the officer of inspection within whose survey the same shall then be; who shall mark the casks, vessels or cases containing such spirits, in like manner as is herein before directed touching such spirits as shall be in the possession of distillers on the first day of July next, and shall grant the like certificates therefor as for such spirits, which certificates shall accompany the respective casks, cases and vessels to which they shall relate, wheresoever they shall be sent, and such importer, his or her agent, upon the sale and delivery of any of the said spirits, shall deliver to the purchaser or purchasers thereof the certificate or cer-

Importers of distilled spirits, when to make entry thereof, and duty of the inspectors thereupon;

penalty for
neglecting
to make
such en-
tries.

tificates which ought to accompany the same, or pain of forfeiting fifty dollars for each cask, case or vessel with which such certificate shall not be delivered. And if any such importer or importer shall refuse or neglect to make such entry at the time and in the manner herein directed, all such spirits as shall not be so entered shall be forfeited and the importer or importers in whose custody the same shall be found, shall moreover forfeit the sum equal to the full value thereof, according to the highest price of such spirits in the market.

Distilled
spirits not
branded nor
accompanied
by a cer-
tificate,

Sec. 28. *And be it further enacted,* That if any cask, case, or vessel containing distilled spirits which by the foregoing provisions of this act ought to be marked and accompanied with a certificate, shall be found in the possession of any person unaccompanied with such marks and certificate, it shall be presumptive evidence that the same are liable to forfeiture, and it shall be lawful for any officer of inspection to seize them as forfeited and if, upon the trial in consequence of such seizure the owner or claimant of the spirits seized, shall not prove that the same were imported into the United States according to law, or were distilled as mentioned in the thirteenth and fourteenth sections of this act, and the duties thereupon paid or were distilled at one of the stills mentioned in the twentieth section of this act, they shall be adjudged to be forfeited.

liable to
forfeiture.

Sec. 29. *And be it further enacted,* That it shall be lawful for the officers of inspection of each survey at all times in the day time, upon request, to enter into all and every the houses, store-houses, ware-houses, buildings and places which shall have been entered in manner aforesaid, and by tasting, gauging or otherwise, to take an account of the quantity, kinds and proofs of the said spirits therein

contained ; and also to take samples thereof, paying for the same the usual price.

Sec. 30. *And be it further enacted,* That if any person or persons shall rub out or deface any of the marks set upon any cask, vessel or case pursuant to the directions of this act, such person or persons shall, for every such offence, forfeit and pay the sum of one hundred dollars.

Penalty for defacing marks on vessels.

Sec. 31. *And be it further enacted,* That no cask, barrel, keg, vessel or case, marked as "Old Stock," shall be made use of by any distiller of spirits, for putting or keeping therein any spirits other than those which were contained therein when so marked, on pain of forfeiting the sum of one hundred dollars for every cask, barrel, keg, vessel or case wherein any such spirits shall be so put or kept ; neither shall any such distiller have or keep any distilled spirits in any such cask, barrel, keg, vessel or case, longer than for the space of one year from the said last day of June next, on pain of forfeiting the said spirits : *Provided,* That nothing in this section contained shall be construed to extend to casks or vessels, capable of containing two hundred gallons and upwards, and which are not intended to be removed.

No vessels marked to be used for other spirits.

How long liquors shall be kept.

Proviso in case of certain vessels.

Sec. 32. *And be it further enacted,* That in case any of the said spirits shall be fraudulently deposited, hid or concealed in any place whatsoever, with intent to evade the duties thereby imposed upon them, they shall be forfeited. And for the better discovery of any such spirits so fraudulently deposited, hid or concealed, it shall be lawful for any judge of any court of the United States, or either of them, or for any justice of the peace, upon reasonable cause of suspicion, to be made out to the satisfaction of such judge or justice, by the oath or

Spirits fraudulently concealed to be forfeited.

Suspected
places to be
searched by
warrant of
a judge or
justice of the
peace.

affirmation of any person or persons, by special warrant or warrants under their respective hands and seals, to authorize any of the officers of inspection, by day, in the presence of a constable or other officer of the peace, to enter into all and every such place or places in which any of the said spirits shall be suspected to be so fraudulently deposited, hid or concealed, and to seize and carry away any of the said spirits which shall be there found so fraudulently deposited, hid or concealed, as forfeited.

Spiritous li-
quors ex-
cept gin or
cordials in
certain ves-
sels to be
forfeited.

proviso.

Sec. 33. *And be it further enacted*, That after the last day of June next, no spirituous liquors except gin or cordials in cases, jugs or bottles, shall be brought from any foreign port or place, in casks of less capacity than fifty gallons at the least, on pain of forfeiting of the said spirits, and of the ship or vessel in which they shall be brought: *Provided always*, That nothing in this act contained shall be construed to forfeit any spirits for being imported or brought into the United States, in other casks or vessels than as aforesaid, or the ship or vessel in which they shall be brought, if such spirits shall be for the use of the seamen on board such ship or vessel, and shall not exceed the quantity of four gallons for each seaman.

Forfeiture
of vessels.

Sec. 34. *And be it further enacted*, That in every case in which any of the said spirits shall be forfeited by virtue of this act, the casks, vessels and cases containing the same, shall also be forfeited.

Distillers to
make en-
tries of the
kinds and
quantity of
spirits.

Sec. 35. *And be it further enacted*, That every distiller of spirits, on which the duty is hereby charged by the gallon, shall keep or cause to be kept, an exact account of the said spirits, which he or she shall sell, send out or distil, distinguishing their several kinds and proofs; and shall every day

make a just and true entry in a book, to be kept for that purpose, of the quantities and particulars of the said spirits by him or her sold, sent out or distilled on the preceding day; specifying the marks of the several casks in which they shall be so sold or sent out, and the person to whom and for whose use they shall be so sold or sent out: which said books shall be prepared for the making such entries, and shall be delivered upon demand, to the said distillers, by the supervisors of the revenue of the several districts, or by such person or persons as they shall respectively for that purpose appoint, and shall be severally returned or delivered at the end of each year, or when the same shall be respectively filled up, (which shall first happen) to the proper officers of inspection; and the truth of the entries made therein shall be verified, upon the oath or affirmation of the person by whom those entries shall have been made, and as often as the said books shall be furnished upon like demand by the proper officers of inspection, to the said distillers respectively. And the said books shall from time to time while in the possession of the said distillers, lie open for the inspection of, and upon request shall be shewn to the proper officers of inspection under whose survey the said distillers shall respectively be, who may take such minutes, memorandums, or transcripts thereof, as they may think fit. And if any such distiller, shall neglect or refuse to keep such book or books, or to make such entries therein, or to shew the same upon request, to the proper officer of inspection, or not return the same according to the directions of this act, he or she shall forfeit for every such refusal or neglect, the sum of one hundred dollars.

To be examined by officers of inspection;

penalty for refusal or neglect.

Sec. 36. *And be it further enacted*, That the penalties by this act imposed on distillers for neglect-
Penalties imposed by this act,

ing to make report to the inspectors, of their intentions of distilling spirits, or for neglecting to mark the houses, apartments or vessels to be employed, or for neglecting to enter in books the quantity of spirits distilled, shall not extend to any person who shall employ one still only, and that of a capacity not exceeding fifty gallons, including the still-head.

Sec. 37. And be it further enacted, That the several kinds of proof herein before specified, shall in marking the casks, vessels and cases containing any distilled spirits, be distinguished corresponding with the order in which they are mentioned by the words "FIRST PROOF"—"SECOND PROOF"—"THIRD PROOF"—"FOURTH PROOF"—"FIFTH PROOF"—"SIXTH PROOF". And that it be the duty of the Secretary of the Treasury, to provide and furnish to the officers of inspection and of the customs, proper instruments for ascertaining the said several proofs.

Sec. 38. And be it further enacted, That in any prosecution or action which may be brought against any supervisor or other officer of inspection, for any seizure by him made, it shall be necessary for such supervisor or officer to justify himself by making it appear that there was probable cause for making the said seizure; upon which, and not otherwise, a verdict shall pass in his favor. And in any such action or prosecution, or in any action or prosecution which may be brought against such supervisor or other officer, for irregular or improper conduct in the execution of his duty, the trial shall be by jury. And in any action for a seizure, in which a verdict shall pass for such officer, the jury shall nevertheless assess reasonable damages for any prejudice or waste (according to the true amount in value thereof) which shall be shewn by good

net to extend in certain cases.

Proof of spirits how distinguished.

Secretary of the treasury to provide instruments for ascertaining them.

Proceedings in case of seizures by officers of inspection.

proof to have happened to the spirits seized, in consequence of such seizure; and also for the detention of the same, at the rate of six per cent per annum, on the true value of the said spirits at the time of such seizure, from that time to the time of restoration thereof; which shall be paid out of the treasury of the United States: *Provided*, That no damages shall be assessed when the seizure was made for want of the proper certificate or certificates, or by reason of a refusal to shew any officer of inspection, upon his request, the spirits in any entered house, building or place: *And provided also*, That if it shall appear from the verdict of the jury, that any such prejudice or waste was sustained by the negligence of the officer, he shall be responsible therefor to the United States.

Damages for want of proper certificates, or negligence, to be sustained by the officers.

Sec. 39. *And be it further enacted*, That if any supervisor or other officer of inspection, in any criminal prosecution against him, shall be convicted of oppression or extortion in the execution of his office, he shall be fined not exceeding five hundred dollars, or imprisoned not exceeding six months, or both, at the discretion of the court; and shall also forfeit his office.

Penalty on supervisors, &c. convicted of oppression or extortion.

Sec. 40. *And be it further enacted*, That no fee shall be taken for any certificate to be issued or granted pursuant to this act.

No fees to be taken for certificates granted.

Sec. 41. *And be it further enacted*, That if any of the said supervisors or other officers of inspection, shall neglect to perform any of the duties hereby enjoined upon them respectively, according to the true intent and meaning of this act, whereby any person or persons shall be injured or suffer damage, such person or persons shall and may have an action founded upon this act, against such

Penalty on officers for neglect of duty.

supervisors or other officers, and shall recover full damages for the same, together with costs of suit

Proceedings in case of suits, and when to be commenced.

Sec. 42. *And be it further enacted,* That any action or suit to be brought against any person or persons, for any thing by him or them done in pursuance of this act, shall be commenced within three months next after the matter or thing done, and unless brought in a court of the United States, shall be laid in the county in which the cause of action shall have arisen; and the defendant or defendants in any such action or suit, may plead the general issue, and on the trial thereof give this act and the special matter, in evidence; and if a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs become nonsuited, or discontinued, his, her or their action or prosecution, or judgment shall be given against such plaintiff or plaintiffs upon demurrer or otherwise, then such defendant or defendants shall have costs awarded to him, he or them, against such plaintiff or plaintiffs.

And in order that persons who may have incurred any of the penalties of this act, without wilful negligence or intention of fraud, may be relieved from such penalties,

Secretary of the treasury authorized to mitigate or remit forfeitures and penalties in certain cases.

Sec. 43. *Be it further enacted,* That it shall be lawful for the judge of the district within which such penalty or forfeiture shall have been incurred at any time within one year after the last day of June next, upon petition of the party who shall have incurred the same, to enquire in a summary way into the circumstances of the case, first causing reasonable notice to be given to the person or persons claiming such penalty or forfeiture, and to the attorney of such district; to the end that each may have an opportunity of shewing cause against the mitigation or remission thereof; and shall cause the facts which shall appear upon such enquiry, to

be stated and annexed to the petition, and direct their transmission to the Secretary of the Treasury of the United States, who shall thereupon have power to mitigate or remit such penalty or forfeiture, if it shall appear to him that such penalty or forfeiture was incurred without wilful negligence, or any design or intention of fraud, and to cause any spirits which may have been seized to be restored to the proprietor or proprietors, upon such terms and conditions as shall appear to him reasonable.

Sec. 44. *And be it further enacted,* That the one half of all penalties and forfeitures incurred by virtue of this act, except as above provided, shall be for the benefit of the person or persons who shall make a seizure, or who shall first discover the matter or thing whereby the same shall have been incurred; and the other half to the use of the United States. And such penalty and forfeiture shall be recoverable with costs of suit, by action of debt, in the name of the person or persons intitled thereto, or by information, in the name of the United States of America; and it shall be the duty of the attorney of the district wherein any such penalty or forfeiture may have been incurred, upon application to him, to institute or bring such information accordingly: *Provided always,* That no officer of inspection other than chief officer, or officers of a survey, shall be intitled to the benefit of any forfeiture unless notice of the seizure by him made, shall be by him given within forty-eight hours next after such seizure, to the said chief officer or officers; but in such case the United States shall have the entire benefit of such forfeiture.

Appropriation of forfeitures and penalties.

Sec. 45. *And be it further enacted,* That if any person or persons shall counterfeit or forge, or cause to be counterfeited or forged any of the cer-

Punishment on persons convicted of counterfeiting certificates. tificates herein before directed to be given, or shall knowingly or willingly accept or receive any false or untrue certificate with any of the said spirits, or shall fraudulently alter or erase any such certificate after the same shall be given, or knowingly or willingly publish or make use of such certificate if counterfeited, forged, false, untrue, altered or erased, every person so offending, shall, for each and every offence, forfeit and pay the sum of five hundred dollars.

Persons convicted of false oath or affirmation, how to be punished. Sec. 46. *And be it further enacted,* That any person or persons that shall be convicted of wilfully taking a false oath or affirmation, in any of the cases in which oaths or affirmations are required to be taken by virtue of this act, shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury.

Penalty for offering bribes to officers of revenue. Sec. 47. *And be it further enacted,* That if any person or persons shall give, or offer to give any bribe, recompence or reward whatsoever, to any supervisor or other officer of inspection of the revenue, in order to corrupt, persuade or prevail upon such officer, either to do any act or acts contrary to his duty in the execution of this act, or to neglect or omit to do any act or thing which he ought to do in the execution of this act, or to connive at or to conceal any fraud or frauds relating to the duties hereby imposed on any of the said spirits, or not to discover the same, every such person or persons, shall for such offence, whether the same offer or proposal be accepted or not, forfeit and pay a sum not exceeding five hundred dollars.

and forcibly obstructing them in the Sec. 48. *And be it further enacted,* That if any person or persons shall forcibly obstruct or hinder any supervisor or other officer of inspection, in

the execution of this act or of any of the powers or authorities hereby vested in him, or shall forcibly rescue or cause to be rescued, any of the said spirits after the same shall have been seized by any such supervisor or other officer, or shall attempt or endeavor so to do, all and every person and persons so offending, shall, for every such offence, for which no other penalty is particularly provided by this act, forfeit and pay a sum not exceeding two hundred dollars.

execution of
their duty.

Sec. 49. *And be it further enacted,* That if any such supervisor or other officer, shall enter into any collusion with any person or persons for violating or evading any of the provisions of this act, or the duties hereby imposed, or shall fraudulently concur in the delivery of any of the said spirits, out of any house, building or place, wherein the same are deposited; without payment or security for the payment of the duties thereupon, or shall falsely or fraudulently mark any cask, case or vessel, contrary to any of the said provisions, or shall embezzle the public money or otherwise be guilty of fraud in his office, such supervisor or other officer shall for every such offence forfeit the sum of one thousand dollars, and upon conviction of any of the said offences, shall forfeit his office, and shall be disqualified for holding any other office under the United States.

Supervisors
entering in-
to collusion,
false mark-
ing any casks
or vessels, or
embezzling
public mo-
ney, how to
be punished

Sec. 50. *And be it further enacted,* That in every case in which an oath or affirmation is required by virtue of this act, it shall be lawful for the supervisors of the revenue, or any of them, or their lawful deputy, or the lawful deputy of one of them, where not more than one in a district, to administer and take such oath or affirmation. And that wherever there are more than one supervisor for one district, a majority of them may execute all

Supervisors
may admin-
ister oath
or affirma-
tion, and

powers ves-
ted in ma-
jority

and any of the powers and authorities hereby vested in the supervisors of the revenue: *Provided*, That this shall not be construed to make a majority necessary in any case in which, according to the nature of the appointment or service, and the true intent of this act, the authority is or ought to be several.

not to extend to cases where the authority ought to be several.

And for the encouragement of the export-trade of the United States :

Sec. 51. *Be it further enacted*, That if any of the said spirits (whereupon any of the duties imposed by this act shall have been paid or secured to be paid) shall after the last day of June next, be exported from the United States to any foreign port or place, there shall be an allowance to the exporter or exporters thereof, by way of draw-back, equal to the duties thereupon, according to the rates in each case by this act imposed, deducting therefrom half a cent per gallon, and adding to the allowance upon spirits distilled within the United States, from molasses, which shall be so exported, three cents per gallon, as an equivalent for the duty laid upon molasses by the said act making further provision for the payment of the debts of the United States: *Provided always*, That the said allowance shall not be made, unless the said exporter or exporters shall observe the regulations herein after prescribed: *And provided further*, That nothing herein contained shall be construed to alter the provisions in the said former act, concerning drawbacks or allowances, in nature thereof, upon spirits imported prior to the first day of July next.

Allowance to exporters,

under what restrictions.

Sec. 52. *And be it further enacted*, That in order to entitle the said exporter or exporters to the benefit of the said allowances, he, she or they, shall previous to putting or lading any of the said spirits

on board of any ship or vessel for exportation, give twenty-four hours notice at the least, to the proper officer of inspection of the port from which the said spirits shall be intended to be exported, of his, her or their intention to export the same, and of the number of casks, vessels and cases, or either of them, containing the said spirits so intended to be exported, and of the respective marks thereof, and of the place or places where the said spirits shall be then deposited, and of the place to which, and ship or vessel in which they shall be so intended to be exported. Whereupon it shall be the duty of the said officer to inspect, by himself or deputy, the casks, vessels and cases so noticed for exportation, and the quantities, kinds and proofs of the spirits therein, together with the certificates which ought to accompany the same according to the directions of this act, which shall be produced to him for that purpose; and if he shall find that the said casks, vessels and cases have the proper marks according to the directions of this act, and that the spirits herein correspond with the said certificates, he shall thereupon brand each cask, vessel or case with the word "Exportation;" and the said spirits shall, after such inspection, be laden on board the same ship or vessel, of which notice shall have been given, and in the presence of the same officer who shall have examined the same, and whose duty it shall be to attend for that purpose. And after the said spirits shall be laden on board such ship or vessel, the certificates aforesaid shall be delivered to the said officer, who shall certify to the collector of the said district, the amount and particulars of the spirits so exported, and shall also deliver the said certificates which shall have been by him received, to the said collector, which shall be a voucher to him, for payment of the said allowance.

Allowance
to exporters
under what
restrictions:

Upon what
proof the
allowance
shall be
made,

Sec. 53. *Provided nevertheless, and be it further enacted,* That the said allowance shall not be made unless the said exporter or exporters shall make oath, or affirmation, that the said spirits so noticed for exportation, and laden on board such ship or vessel, are truly intended to be exported to the place whereof notice shall have been given, and are not intended to be relanded within the United States; and that he or she doth verily believe that the duties thereupon charged by this act, have been duly paid, or secured to be paid; and shall also give bond to the collector, with two sureties, one of whom shall be the master, or other person having the command or charge of the ship or vessel in which the said spirits shall be intended to be exported; the other, such sufficient person as shall be approved by the said collector, in the full value in the judgment of the said collector, of the said spirits so intended to be exported, with condition that the said spirits (the dangers of the seas and enemies excepted) shall be really and truly exported to, and landed in some port or place without the limits of the United States, and that the said spirits shall not be unshipped from on board of the said ship or vessel, whereupon the same shall have been laden for exportation, within the said limits, or any ports or harbors of the United States or relanded in any other part of the same (ship wreck or other unavoidable accident excepted).

and when
paid.

Sec. 54. *Provided also, and be it further enacted* That the said allowance shall not be paid until six months after the said spirits shall have been so exported: *And provided also,* That whenever the owner of any ship or vessel, on board of which any such spirits are laden for exportation, shall make known to the collector, previous to the departure of such ship or vessel from the port where such spirits are laden, that such ship or vessel is not

oing to proceed the voyage intended or the voyage is altered, it shall be lawful for the collector to grant a permit for the relanding the same.

Sec. 55. *And be it further enacted*, That if any of the said spirits, after the same shall have been shipped for exportation, shall be unshipped for any purpose whatever, either within the limits of any part of the United States, or within four leagues of the coast thereof, or shall be relanded within the United States, from on board the ship or vessel wherein the same shall have been laden for exportation, unless the voyage shall not be proceeded on, or shall be altered as aforesaid, or unless in case of necessity or distress to save the ship and goods from perishing, which shall be immediately made known to the principal officer of the customs, residing at the port nearest to which such ship or vessel shall be at the time such necessity or distress shall arise, when not only the spirits so unshipped, together with the casks, vessels and cases containing the same, but also the ship or vessel in or on board which the same shall have been so shipped or laden, together with her guns, furniture, ammunition, tackle and apparel; and also the ship, vessel or boat into which the said spirits shall be unshipped or put, after the unshipping thereof, together with her guns, furniture, ammunition, tackle and apparel, shall be forfeited, and may be seized by any officer of the customs, or of inspection.

Forfeiture where spirits shipped for exportation shall be relanded within U. States, excepting in certain cases

Sec. 56. *And be it further enacted*, That the said allowance shall not be made when the said spirits shall be exported in any other than a ship or vessel of the burthen of thirty tons and upwards, to be ascertained to the satisfaction of the collector of the district from which the same shall be intended to be exported.

On spirits exported in other than a ship or vessel of 30 tons & upwards, allowance not to be made.

When
bonds may
be discharg-
ed, and
under cer-
tain proofs ;

Sec. 57. *And be it further enacted,* That the bonds to be given as aforesaid, shall and may be discharged by producing within one year from the respective dates thereof (if the same be shipped to any part of Europe or America, and within two years if shipped to any part of Asia or Africa, and if the delivery of the spirits in respect to which the same shall have been given, be at any place where a consul or other agent of the United States resides a certificate of such consul or agent, or if there be no such consul or agent, then a certificate of any two known and reputable American merchants residing at the said place ; and if there be not two such merchants residing at the said place, then a certificate of any other two reputable merchants testifying the delivery of the said spirits at the said place. Which certificate shall in each case be confirmed by the oath or affirmation of the master and mate, or other like officer of the vessel in which the said spirits shall have been exported ; and when such certificate shall be from any other than a consul or agent, or merchants of the United States, it shall be a part of the said oath or affirmation, that there were not upon diligent enquiry, to be found two merchants of the United States at the said place : *Provided always,* That in the case of death, the oath or affirmation of the party dying, shall not be deemed necessary : *And provided further,* That the said oath or affirmation, taken before the chief civil magistrate of the place of the said delivery, and certified under his hand and seal, shall be of the same validity as if taken before a person qualified to administer oaths within the United States ; or such bonds shall and may be discharged upon proof that the spirits so exported, were taken by enemies or perished in the sea, or destroyed by fire ; the examination and proof of the same being left to the judgment of the collector of the customs, naval-officer, and chief officer of inspection, or any two.

of them, of the place from which such spirits shall have been exported. And in cases where the certificates herein directed cannot be obtained, the exporter or exporters of such spirits, shall nevertheless be permitted to offer such other proof as to the delivery of the said spirits, without the limits of the United States, as he or they may have; and if the same shall be deemed sufficient by the said collector, he shall allow the same, except when the drawback to be allowed, shall amount to one hundred dollars or upwards; in all which cases the proofs aforesaid shall be referred to the comptroller of the treasury, whose decision thereon shall be final.

to be referred to comptroller of treasury, whose decision thereon shall be final

Sec. 58. *And be it further enacted*, That it shall and may be lawful for the President of the United States from time to time, to make such allowances to the said supervisors, inspectors, and to the deputies and officers by them to be appointed and employed for their respective services in the execution of this act, to be paid out of the product of the said duties, as he shall deem reasonable and proper: *Provided always*, That the aggregate amount of the allowances to all the said supervisors, inspectors and other officers, shall not exceed seven per cent of the whole product of the duties arising from the spirits distilled within the United States: *And provided also*, That such allowance shall not exceed the annual amount of forty-five thousand dollars, until the same shall be further ascertained by law.

President authorized to make allowance to supervisors, &c. for their services, out of the product of the duties,

not to exceed 45,000 dollars annually.

Sec. 59. *And be it further enacted*, That this act shall commence and take effect as to all matters therein contained, in respect to which no special commencement is hereby provided (except as to the appointment of officers and regulation of the districts and surveys) from and immediately after the last day of June next.

Commencement of this act.

Nett pro-
duct of du-
ties pledged
for payment
of interest
on loans;

Sec. 60. *And be it further enacted,* That the nett product of the duties herein before specified, which shall be raised, levied and collected by virtue of this act, or so much thereof as may be necessary, shall be, and is hereby pledged and appropriated for the payment of the interest of the several and respective loans which had been made in foreign countries, prior to the fourth day of August last; and also upon all and every the loan and loans which have been and shall be made, and obtained pursuant to the act, intituled, "An act making provision for the debt of the United States;" and according to the true intent and meaning of the said act, and of the several provisions and engagements therein contained and expressed, and subject to the like priorities and reservations as are made and contained in and by the said act, in respect to the monies therein appropriated, and subject to this farther reservation, that is to say—Of the nett amount or product during the present year, of the duties laid by this act, in addition to those heretofore laid upon spirits imported into the United States, from any foreign port or place, and of the duties laid by this act on spirits distilled within the United States, and on stills; to be disposed of towards such purposes for which appropriations shall be made during the present session. And to the end that the said monies may be inviolably applied in conformity to the appropriation hereby made, and may never be diverted to any other purpose until the final redemption, or reimbursement of the loans or sums for the payment of the interest whereof they are appropriated, an account shall be kept of the receipts and disposition thereof, separate and distinct from the product of any other duties, impost, excise, and taxes whatsoever, except those heretofore laid and appropriated to the same purposes.

and to be
inviolably
applied
thereto.

Sec. 61. *And be it further enacted,* That the unappropriated surplus, if any there shall be, of the revenue arising under this act, at the end of this and every succeeding year, shall be applied to the reduction of the public debt, in like manner as is directed by the act, intituled, “An act making provision for the reduction of the public debt;” and provided by the act, intituled, “An act making provision for the debt of the United States;” unless the said surplus, or any part thereof, shall be required for the public exigencies of the United States, and shall, by special acts of Congress, be appropriated thereto.

Unappropriated surplus how to be applied.

Sec. 62. *And be it further enacted,* That the several duties imposed by this act, shall continue to be collected and paid, until the debts and purposes for which they are pledged and appropriated, shall be fully discharged and satisfied, and no longer. *Provided always,* That nothing herein contained, shall be construed to prevent the legislature of the United States from substituting other duties or taxes of equal value to all or any of the said duties and imposts.

Duties hereby imposed how long to continue.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XVI.

An ACT making an APPROPRIATION for the Purpose therein mentioned.

BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That for the purpose of

20,000 dollars appropriated for effecting a recognition of the treaty with Emperor of Morocco; and

President authorized to borrow said money.

effecting a recognition of the treaty of the United States, with the new Emperor of Morocco, there be, and hereby is appropriated a sum not exceeding twenty thousand dollars, to be paid out of the monies which prior to the first day of January next shall arise from the duties imposed upon spirits distilled within the United States, and from stills by the act entitled, "An act repealing after the last day of June next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead, and also upon spirits distilled within the United States, and for appropriating the same," together with the excess of duties which may arise from the duties imposed by the said act, on imported spirits beyond those which would have arisen by the act entitled, "An act making further provision for the payment of the debts of the United States." And the President is hereby authorized to take on loan, the whole sum by this act appropriated, or so much thereof as he may judge requisite, at an interest not exceeding six per cent. per annum, and the fund established for the above mentioned appropriation is hereby pledged for the repayment of the principal and interest of any loan to be obtained in manner aforesaid, and in case of any deficiency in the said fund, the faith of the United States is hereby also pledged to make good such deficiency.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XVII.

An ACT to amend "An Act, for establishing the temporary and permanent Seat of the GOVERNMENT of the United States."

BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That so much of the act, entitled, "An act for establishing the temporary and permanent seat of the government of the United States," as requires that the whole of the district of territory, not exceeding ten miles square, to be located on the river Potowmac, for the permanent seat of the government of the United States, shall be located above the mouth of the Eastern Branch, be and is hereby repealed, and that it shall be lawful for the President to make any part of the territory below the said limit, and above the mouth of Hunting Creek, a part of the said district, so as to include a convenient part of the Eastern Branch, and of the lands lying on the lower side thereof, and also the town of Alexandria, and the territory so to be included, shall form a part of the district not exceeding ten miles square, for the permanent seat of the government of the United States, in like manner and to all intents and purposes, as if the same had been within the purview of the above recited act: *Provided*, That nothing herein contained, shall authorize the erection of the public buildings otherwise than on the Maryland side of the river Potowmac, as required by the aforesaid act.

Repealing certain part of the act fixing the permanent seat of government of U. States, & vesting the President with certain powers.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XVIII.

*An ACT supplemental to the Act "establishing the
TREASURY DEPARTMENT," and for a farther
COMPENSATION to certain OFFICERS.*

Section 1. **B**E it enacted by the SENATE and HOUSE
of REPRESENTATIVES of the United
States of America in Congress assembled, That the
eighth section of the act, intituled, "An act to estab-
lish the treasury-department," passed the second
day of September, one thousand seven hundred and
eighty-nine, shall be, and the same is hereby extend-
ed to all and every of the clerks employed in the
treasury department, as fully and effectually as if
they and every of them were specially named there-
in, except as to the penalty in such section mention-
ed, which in case of any such clerk offending a-
gainst the provisions of the said section, shall be
five hundred dollars, and removal from office.

8th section
of act esta-
blishing
treasury de-
partment
extended to
clerks under
certain mo-
difications.

Clerks and
other offi-
cers to take
an oath or
affirmation;

to be filed
in the office
where em-
ployed.

Sec. 2. *And be it further enacted,* That each and every clerk and other officer already appointed in any of the departments of the United States, (and who have not, since their appointment, taken the oath or affirmation hereafter mentioned) shall within fifteen days after the passing of this act, and those who shall hereafter be appointed, shall before they enter upon the duties of such appointment, take an oath or affirmation before one of the justices of the supreme court, or one of the judges of a district court of the United States, to support the Constitution of the United States, and also an oath or affirmation, well and faithfully to execute the trust committed to him, which oaths or affirmations, subscribed by such clerk, and certified by the person administering the same, shall be filed in the office of the person employing such clerk.

Sec. 3. *And be it further enacted*, That it shall and may be lawful for the principal in any of the offices of the United States, who is authorized by law to appoint clerks under him, to allow to each clerk such compensation for his services, as he shall, in the opinion of such officer, deserve for the same: *Provided*, That the whole sum to be expended for clerks in any such office (except the chief clerk) shall not exceed a sum equal to five hundred dollars per annum for every clerk employed therein.

Principals may appropriate the 500 dols. allowed to each, excepting chief, according to merit.

Sec. 4. *And be it further enacted by the authority aforesaid*, That there shall be allowed for one year, commencing with the passing of this act, to the Register, two hundred and fifty dollars, and to the Auditor, the Comptroller of the Treasury, and the Attorney-General, four hundred dollars each, in addition to their respective salaries, and to be paid in the same manner.

Additional allowance for one year to register, auditor, comptroller & attorney-general.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

C H A P T E R X I X .

AN ACT relative to the RIX-DOLLAR of DENMARK.

BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That so much of an act,

Part of the act rating rix dollar of Denmark at 100 cents repealed.

intituled, " An act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandize imported into the United States, and on the tonnage of ships or vessels," as hath rated the rix-dollar of Denmark at one hundred cents, be, and the same is hereby repealed; and that this repeal shall be deemed to operate in respect to all duties which have already arisen or accrued, as well as to such as shall hereafter arise or accrue.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON
President of the United States.

CHAPTER XX.

An ACT in addition to an Act, intituled, " An Act for establishing the SALARIES of the Executive Officers of Government, with their Assistants and Clerks.

Section I. **B**E it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That from and after the passing of this act, there shall be allowed to the chief clerk of the auditor, the annual sum of two hundred dollars, in addition to the salary allowed to him by the act, intituled, " An act establishing the salaries of the executive officers of government, with their assistants and clerks,"

Further annual allowance of 200 dols. to chief clerk to the auditor.

be paid at the treasury of the United States, in quarterly payments, and from like appropriations may be assigned for the payment of the other salaries mentioned in the above recited act.

Sec. 2. *And be it further enacted,* That there be allowed to the clerks employed in the several offices attached to the seat of government, in addition to their respective salaries, their reasonable and necessary expences incurred by the removal of Congress from the city of New-York, to the city of Philadelphia.

Allowance of expences in removing from New-York to Philadelphia, to clerks employed in the several offices :

Sec. 3. *And be it further enacted,* That there be allowed to the assistant secretary of the treasury, in addition to his salary for one year, commencing with the passing of this act, four hundred dollars, to be paid in the same manner as his salary.

And of 400 dollars for 1 year to assistant secretary of the treasury.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

C H A P T E R XXI.

An ACT for making Compensations to the Commissioners of Loans, for extraordinary Expences.

Section 1. **B**E it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That the

Commiss-
sioners of
loans to be
allowed in
settlement
of accounts
for necessa-
ry stationa-
ry,
commissioners of loans in the several States shall be allowed in the settlement of their accounts, such sums as shall appear to have been necessarily expended by them in the purchase of stationary for the use of their several offices, from the commencement of the same to the first day of October next.

and for hire
of clerks.

Sec. 2. *And be it further enacted,* That the commissioners of loans in the several States, shall be allowed in the settlement of their several accounts, such sums as they shall have necessarily expended for the hire of clerks to assist in executing the duties of their several offices, from the commencement of the same to the first day of October next.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XXII.

An ACT providing Compensations for the Officers of the Judicial Courts of the United States, and for Jurors and Witnesses, and for other Purposes.

Section 1. **B**E it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That there be allowed to the several officers following in addition to the fees (except milage to the marshals) to which

Compensa-
tions to offi-
cers of the
judicial
court.

they are otherwise by law intitled, and also to jurors and witnesses, in the courts of the United States, the following respective compensations, that is to say : To the attorney of the United States for the district, for his expenses and time in traveling from the place of his abode to any court of the United States, on which his attendance shall be requisite, at the rate of ten cents per mile going, and the same allowance for returning ; to the clerk of the district court, for attending in the district or circuit court, five dollars per day, and the like compensation for traveling, as is above allowed to the attorney for the district ; to the clerk of the supreme court for attending in court, eight dollars per day ; to the marshal of the district, for attending the supreme, circuit or district courts, five dollars per day ; for summoning a grand jury, three dollars, and for summoning a petit jury, two dollars, and for serving and returning a writ, five cents per mile for his necessary travel ; to the grand and petit jurors, each fifty cents per day for attending in court, and for traveling, at the rate of fifty cents for every ten miles from their respective places of abode, to the place where the court is held, and the like allowance for returning ; to witnesses summoned on the part of the United States, or in behalf of any prisoner to be tried for any capital offence in any of the courts thereof, the same compensation as is above allowed to grand and petit jurors. That the several officers above specified shall be deemed to have been intitled to the above respective compensations, from the time of their respective appointments ; and that the grand and petit jurors and witnesses, who have heretofore attended, shall also be deemed intitled to the above compensation, in like manner as those who shall hereafter attend. That there shall also be paid to the marshal, the amount of the expense for fuel, candles, and other reasonable contingen-

to be paid at the treasury on certificate of judge, and sum arising from fines, &c. appropriated for payment of them.

cies for holding a court, as hath accrued or shall accrue; and the compensations to the grand and petit jurors and witnesses shall be included in the account of, and paid to the marshal, to the use of, and be by him accordingly paid over to the several persons intitled to the same: and the accounts of the several officers for the compensations aforesaid (except milage to the marshal, for the service of writs in civil causes) having been previously examined and certified by the judge of the district, shall be passed in the usual manner at, and the amount thereof paid out of the treasury of the United States. And a sum arising from the fines and forfeitures to the United States, and equal to the amount thereof, is hereby appropriated for the payment of the above accounts.

Altering the session of circuit courts in eastern circuit.

Sec. 2. *And be it further enacted,* That instead of the provisions in that respect heretofore made, the first session of the circuit courts in the eastern circuit, after the passing of this act, shall commence at the times following, that is to say: In New York district, on the fifth, and in Connecticut district, on the twenty-fifth days of April next; in Massachusetts district, on the twelfth, and in New-Hampshire district on the twenty-fourth days of May next; and in Rhode-Island district, on the seventh day of June next; and the subsequent sessions in the respective districts, on the like days of every sixth calendar month thereafter, except when any of those days shall happen on a Sunday, and then the sessions shall commence on the next day following. And the sessions of the said circuit court shall be held in New-Hampshire district, at Portsmouth and Exeter, alternately, beginning at the first: In Massachusetts district, at Boston; in Rhode-Island district, at Newport and Providence, alternately, beginning at the first; in Connecticut district, at Hartford and New-Haven, alternately,

beginning at the last ; and in New-York district, at the city of New-York only.

Sec. 3. *And be it further enacted*, That from and after the passing of this act, instead of the provisions in the act for that purpose, the sessions of the circuit court for the district of Virginia, shall be holden in the city of Richmond only.

Altering sessions of circuit court in Virginia.

Sec. 4. *And be it further enacted*, That this act shall continue in force until the end of the next session of Congress, and no longer.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

C H A P T E R X X I I I .

An ACT to continue in force for a limited time, an Act, intituled, "An Act for the temporary Establishment of the Post-Office.

Section I. **B**E it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That the act passed the first session of Congress, intituled, "An act for the temporary establishment of the post-office," be, and the same is hereby continued in full force until the end of the next session of Congress, and no longer.

Former act for temporary establishment of post-office continued.

Letters on public service to officers of the treasury to be conveyed free of postage.

Sec. 2. *And be it further enacted,* That all letters to and from the treasurer, comptroller and auditor of the treasury, and the assistant to the secretary of the treasury, on public service, shall be received and conveyed by the post, free of postage.

Mail to be extended from Albany to Bennington.

Sec. 3. *And be it further enacted,* That the post-master-general shall be and he is hereby authorized to extend the carrying the mail from Albany, in the state of New-York, to Bennington in the state of Vermont.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

C H A P T E R XXIV.

An ACT to continue in force the Act therein mentioned, and to make further Provision for the payment of PENSIONS to INVALIDS, and for the support of LIGHT-HOUSES, BEACONS, BUOYS, and PUBLIC PIERS.

Section I. **B**E it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That the act, entitled, "An act to provide for mitigating or remitting the forfeitures and penalties accruing under the revenue laws in certain cases therein mentioned," shall be and is hereby continued in force until the end of the next session of Congress, and no longer.

Act for mitigating or remitting forfeitures, &c. continued.

Sec. 2. *And be it further enacted,* That the yearly pensions which have been allowed by or in pursuance of any act or law of the United States, to persons who were wounded and disabled during the late war, shall for the space of one year from the fourth day of March next, be paid out of the treasury of the United States, under such regulations as the President of the United States may direct.

Pensions to
invalids for
1 year to be
paid out of
treasury.

Sec. 3. *And be it further enacted,* That all expenses which shall accrue from the first day of July next, inclusively for the necessary support, maintenance and repairs of all light-houses, beacons, buoys, and public piers, shall continue to be defrayed by the United States, until the first day of July, in the year one thousand seven hundred and ninety-two, notwithstanding such light-houses, beacons, buoys, or public piers, with the lands and tenements thereunto belonging, and the jurisdiction of the same, shall not in the mean time be ceded to or vested in the United States, by the state or states respectively, in which the same may be, and that the said time be further allowed to the states respectively, to make such cession. *Provided,* That nothing in the said act shall be construed to limit or restrain the power of the President of the United States, to grant pardons for offences against the United States.

Expenses
from 1st Ju-
ly next of all
light-houses
&c. to be
defrayed by
U. States till
July 1792.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XXV.

An ACT supplementary to the Act, making Provision for the Reduction of the PUBLIC DEBT.

WHEREAS it hath been made known to Congress that the President of the United States, in consequence of "An act making provision for the reduction of the public debt," hath caused a certain loan to be made in Holland, on account of the United States, to the amount of three millions of florins, bearing an interest of five per centum per annum, and reimbursable in six yearly instalments, commencing in the year one thousand eight hundred, and ending in the year one thousand eight hundred and six, or at any time sooner, in whole or in part, at the option of the United States.

Loan in
Holland of
3,000,000
florins, at 5
per cent. per
annum,

whereon
the charges
are 4 & 1-2
per cent.

And whereas it hath been also stated to Congress, that the charges upon the said loan have amounted to four and a half per centum, whereby a doubt hath arisen, whether the said loan be within the meaning of the said last mentioned act, which limits the rate of interest to five per centum per annum ;

And whereas it is expedient that the said doubt be removed ;

BE it enacted and declared by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress, That the loan aforesaid shall be deemed and construed to be within the true intent and meaning of the said act, intituled "An act making provision for the reduction of the public debt," and that any farther loan, to the extent of the principal sum authorized to be borrowed by the said act, the interest whereof shall be five per centum per annum, and the charges whereof shall

declared to
be within
the mean-
ing of the
act provid-
ing for the
reduction of
the public
debt, & also
further
loans on the
like terms.

not exceed the said rate of four and a half per centum, shall, in like manner, be deemed and construed to be within the true intent and meaning of the said act.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XXVI.

An ACT making farther Provision for the Collection of the Duties by Law imposed on TEAS, and to prolong the Term for the Payment of the Duties on WINES.

WHEREAS it is conceived that the following regulations concerning teas may be conducive both to the accommodation of the importers thereof, and to the security of the revenue ;

Section 1. *BE it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled,* That in addition to the provisions contained in the fortieth and forty-first sections of the act, intituled, “ An act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandize imported into the United States, and on the tonnage of ships or vessels,” as they regard the payment, or securing the payment of the duties on

Importers of teas, it shall be lawful for every importer of teas, if he or she shall elect so to do, to give his or her bond to the collector of the district in which any of the said teas shall be landed, in double the amount of the duties thereupon, with condition for the payment of the said duties in two years from the date of such bond; which bond shall be accepted by such collector, without surety, upon the terms following; that is to say: The teas, for the duties whereof the said bond shall be accepted, shall be deposited at the expense and risk of the said importer, in one or more storehouse or storehouses, as the case may require, to be agreed upon between the said importer and the inspector, or other officer of inspection of the revenue, for the port where the said teas shall be landed; and upon every such storehouse, the said inspector or officer of inspection shall cause to be affixed two locks, the key of one of which locks shall be kept by such importer, his or her agent, and the key of the other of which locks shall be kept by the said inspector, or by such other person as he shall depute and appoint in that behalf; whose duty it shall be to attend at all reasonable times for the purpose of delivering the said teas out of the said storehouse or storehouses. But no delivery shall be made of any of the said teas without a permit in writing, under the hand of the said inspector or officer of inspection. And in order to the obtaining of such permit, it shall be necessary that the duties upon the teas, for which the same shall be required, be first paid, or, at the option of the party or parties applying for the same, secured to be paid in manner following; that is to say: The said party or parties shall give bond with one or more surety or sureties to the satisfaction of the said inspector, in double the amount of the duties upon the quantity of teas in each case to be delivered, with condition for the payment of the said duties,

Importers of teas to give bond for double the amount of the duties thereon, payable in 2 years, &

deposit the teas in storehouses:

No delivery thereof to be made without a permit, and

no permit granted without the duties first paid or secured.

if the same shall not exceed one hundred dollars in four months ; or, if the same shall exceed one hundred dollars, and shall not exceed five hundred dollars, in eight months ; or, if the same shall exceed five hundred dollars, in twelve months : *Provided always*, That the time to be allowed for the payment of the duties upon any parcel of teas to be delivered, shall not be such as to extend the credit for such duties beyond the term of two years originally allowed upon the depositing of the said teas.

Time allowed for payment of duties not to be extended

Sec. 2. *And be it further enacted*, That if the duties on any parcel of teas, which shall have been deposited as aforesaid, shall not have been paid or secured to be paid in manner last specified, within the term of two years, according to the condition of the obligation to be given to the collector of the district, within which the same shall have been landed, it shall be the duty of the said collector to cause so much of the said teas, as may be necessary, to be sold at public auction, and retaining the sum which shall not have been so paid or secured of the said duties, together with the expenses of safe keeping and sale of the said teas, shall return the overplus, if any, to the owner or owners thereof, his, her or their agent or lawful representative.

Teas deposited on which duties are not paid nor secured,

to be sold by collector for that purpose & overplus returned to the owner.

Sec. 3. *And be it further enacted*, That the bonds which have been or shall be directed to be given, by this or any other act, for monies or duties to be paid or performed to the United States, shall be taken in the name of the United States of America ; unless special direction shall have been given to take them in some other name. And the bonds to be taken as aforesaid, by any inspector of the revenue, shall be delivered by him forthwith to the collector of the district within which the teas, to which they may relate, shall have been landed, in

Bonds for monies or duties to be taken in the name of the U. States, &c

delivered to collector of the district wherein they are to be collected

order to the collection of the monies therein specified. And the permits which shall have been granted by such inspector, for the delivery of any teas, out of any storehouse wherein they shall have been deposited, shall be received by such collector towards satisfying any bond, which shall have been, in the first instance, taken by the said collector, touching the said teas; which permits shall therefore specify the amount of the duties which shall have been paid or secured upon the teas to be delivered in virtue thereof; and the name of the ship or vessel in which they shall have been imported, and of the importer or importers thereof.

Teas imported after April next to be landed under inspection of inspectors;

Sec. 4. *And be it further enacted*, That all teas, which after the first day of April next, shall be imported into the United States from any foreign port or place, shall be landed under the care of the inspectors of the revenue for the ports where the same shall be respectively landed; and for that purpose every permit which shall be granted by any collector, for landing the same, shall, prior to such landing, be produced to the said inspector, who by an endorsement thereupon under his hand, shall signify the production thereof to him, and the time when; after which, and not otherwise, it shall be lawful to land the teas mentioned in such permit.

permits given for its landing entered by them & the chests containing it marked, &

And the said inspector shall make an entry of all such permits, and of the contents thereof; and each chest, box or package containing any teas, shall be marked by the officer under whose immediate inspection the same shall be landed, in legible and durable characters, with progressive numbers, and with the name of the vessel in which the same shall have been imported. And the said officer shall grant a certificate for each such chest, box or package, specifying therein the name or names of the importer or importers, the ship or vessel in which the same shall have been imported,

correspondent certificates granted.

and the number thereof to accompany the same wherefoever it shall be sent.

And whereas, for the payment of the duties accruing on Madeira wines, and which may be secured by bond, the term of twelve months is allowed ; and it is proper to extend, in like manner, the payment of the duties accruing on other wines ;

Sec. 5. Therefore, *Be it enacted*, That for the payment of the duties on other than Madeira wines, and which shall be secured by bond, such bond shall be taken with condition for the payment of the duties in twelve months, in like manner as by law is directed for the payment of the duties on Madeira wines.

Term for payment of the duties on wine prolonged.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

CHAPTER XVII.

An ACT for granting LANDS to the Inhabitants and Settlers at VINCENNES and the ILLINOIS Country, in the Territory north-west of the Ohio, and for confirming them in their Possessions.

Section 1. **B**E it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That four hundred acres of land be given to each of those 400 acres of land

granted to persons, who in the year one thousand seven hundred and eighty-three, were heads of families at Vincennes or in the Illinois country, on the Mississippi, and who since that time have removed from one of the said places to the other. And the governor of the territory north-west of the Ohio is hereby directed, to cause the same to be laid out for them, at their own expense either at Vincennes or in the Illinois country, as they shall severally elect.

Sec. 2. And be it further enacted and declared,

also to those who have removed from said territory, That the heads of families at Vincennes or in the Illinois country in the year one thousand seven hundred and eighty-three, who afterwards removed without the limits of the said territory, are notwithstanding, entitled to the donation of four hundred acres of land made by the resolve of Congress of the twenty-ninth of August, one thousand seven hundred and eighty-eight; and the governor of the said territory, upon application to him for that purpose, is hereby directed to cause the same to be laid out for such heads of families or their heirs; and shall also cause to be laid off and confirmed to such persons the several tracts of land which they may have possessed, and which before the year one thousand seven hundred and eighty-three may have been allotted to them according to the laws and usages of the government under which they had respectively settled: *Provided nevertheless,* That if such persons or their heirs do not return and occupy the said lands within five years, such lands shall be considered as forfeited to the United States.

Sec. 3. And be it further enacted, That one hundred and fifty acres of land, heretofore in possession of the Piankeshaw Indians, and now under actual improvement, and constituting a part of the village of Vincennes, be given to the persons who are severally in possession of the said land.

Lands formerly possessed by Piankeshaw Indians confirmed to present possessors.

Sec. 4. *And be it further enacted*, That where lands have been actually improved and cultivated at Vincennes, or in the Illinois country, under a supposed grant of the same, by any commandant or court claiming authority to make such grant, the governor of the said territory be, and he hereby is empowered to confirm to the persons who made such improvements, their heirs or assigns, the lands supposed to have been granted as aforesaid, or such parts thereof as he, in his discretion, may judge reasonable, not exceeding to any one person, four hundred acres.

Improvers of lands claiming under a supposed grant, to have their claims confirmed.

Sec. 5. *And be it further enacted*, That a tract of land, containing about five thousand four hundred acres, which for many years has been fenced and used by the inhabitants of Vincennes as a common, also a tract of land including the villages of Cohos and Prairie du Pont, and heretofore used by the inhabitants of the said villages as a common, be, and the same are hereby appropriated to the use of the inhabitants of Vincennes and of the said villages respectively, to be used by them as a common, until otherwise disposed of by law.

Lands heretofore used as a common to be appropriated thereto.

Sec. 6. *And be it further enacted*, That the governor of the said territory be authorized to make a grant of land not exceeding one hundred acres, to each person who hath not obtained any donation of land from the United States, and who, on the first day of August, one thousand seven hundred and ninety, was enrolled in the militia at Vincennes or in the Illinois country, and has done militia duty, the said land to be laid out at the expense of the grantees, and in such form and place as the said governor shall direct. *Provided nevertheless*, That no claim founded upon purchase or otherwise, shall be admitted within a tract of land heretofore occupied by the Kaskaskia nation of Indians, and includ-

Militiamen who have not obtained any donation of land, to receive 100 acres.

Appropriation of a tract for the Kaskaskia Indians.

ing their village, which is hereby appropriated to the use of the said Indians.

Grant of to
P. Gibault
and St. Jam
Beouvois.

Sec. 7. *And be it further enacted*, That two lots of land heretofore in the occupation of the priests at Cahokia, and situated near that village, be, and the same is hereby granted in fee to P. Gibault; and that a tract of land at Kaskaskia, formerly occupied by the Jesuits, be laid off and confirmed to St. Jam Beouvais, who claims the same in virtue of a purchase thereof.

Donation
lands to be
laid out ac-
cording to
act of Con-
gress of June
20th 1788.

Sec. 8. *And be it further enacted*, That so much of the act of Congress of the twenty-eighth of August, one thousand seven hundred and eighty-eight as refers to the locations of certain tracts of land directed to be run out and reserved for donations to the ancient settlers in the Illinois country, be and the same is hereby repealed, and the governour of the said territory is directed to lay out the same agreeably to the act of Congress of the twentieth of June, one thousand seven hundred and eighty-eight.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, March the third, 1791.

GEORGE WASHINGTON
President of the United States.

CHAPTER XXVIII.

An ACT for raising and adding another REGIMENT to the MILITARY ESTABLISHMENT of the UNITED STATES, and for making farther Provision for the PROTECTION of the FRONTIERS.

Section 1. **B**E it enacted by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That there shall be raised an additional regiment of infantry, which, exclusive of the commissioned officers, shall consist of nine hundred and twelve non-commissioned officers, privates and musicians.

An additional regiment to be raised of 912 men,

Sec. 2. *And be it further enacted,* That the said regiment shall be organized in the same manner as the regiment of infantry described in the act, intituled, "An act for regulating the military establishment of the United States."

and how organized.

Sec. 3. *And be it further enacted,* That the troops aforesaid by this act to be raised, including the officers, shall receive the same pay and allowances, be subject to the same rules and regulations, and be engaged for the like term, and upon the same conditions, in all respects, excepting the bounty herein-after mentioned, as are stipulated for the troops of the United States, in the before-mentioned act.

Their pay & allowances.

Sec. 4. *And be it further enacted,* That each non-commissioned officer, private and musician, who has enlisted or shall enlist pursuant to the act aforesaid, or who shall enlist pursuant to this act, shall be intituled to receive six dollars as a bounty.

Bounty for enlistment.

Sec. 5. *And be it further enacted,* That in case the President of the United States should deem the

What officers may be appointed.

employment of a major-general, brigadier-general, a quarter-master and chaplain, or either of them, essential to the public interest, that he be, and he hereby is empowered, by and with the advice and consent of the Senate, to appoint the same accordingly. And a major-general so appointed may chuse his aid de camp, and a brigadier-general, his brigade-major, from the captains or subalterns of the line. *Provided always,* That the major-general and brigadier-general so to be appointed, shall respectively, continue in pay during such term only, as the President of the United States in his discretion shall deem it requisite for the public service.

and how long continue in service.

Pay and allowances to the officers.

Sec. 6. *And be it further enacted,* That in case a major-general, brigadier-general, quarter-master, aid de camp, brigade-major and chaplain should be appointed, their pay and allowances shall be, respectively, as herein mentioned: The major-general shall be intitled to one hundred and twenty-five dollars, monthly pay, twenty dollars allowance for forage monthly, and for daily subsistence fifteen rations, or money in lieu thereof at the contract-price. The brigadier-general shall be intitled to ninety-four dollars, monthly pay, with sixteen dollars allowance for forage monthly, and for daily subsistence twelve rations, or money in lieu thereof at the contract-price. That the quarter-master shall be intitled to the same pay, rations and forage, as the lieutenant-colonel commandant of a regiment. That the aid de camp be intitled, including all allowances, to the same pay, rations and forage, as a major of a regiment. That the brigade-major be intitled, including all allowances, to the same pay, rations and forage, as a major of a regiment. That the chaplain be intitled to fifty dollars per month, including pay, rations and forage.

Sec. 7. *And be it further enacted,* That if, in the opinion of the President, it will be conducive to the good of the service, to engage a body of militia to serve as cavalry, they furnishing their own horses, arms and provisions, it shall be lawful for him to offer such allowances to encourage their engaging in the service, for such time and on such terms, as he shall deem it expedient to prescribe.

Authority to the President to employ militia cavalry,

Sec. 8. *And be it further enacted,* That if the President should be of opinion, that it will be conducive to the public service, to employ troops enlisted under the denomination of levies, in addition to, or in place of the militia, which in virtue of the powers vested in him by law, he is authorized to call into the service of the United States, it shall be lawful for him to raise, for a term not exceeding six months (to be discharged sooner if the public service will permit) a corps, not exceeding two thousand non-commissioned officers, privates and musicians, with a suitable number of commissioned officers. And in case it shall appear probable to the President, that the regiment directed to be raised by the aforesaid act and by this act, will not be completed in time to prosecute such military operations as exigencies may require, it shall be lawful for the President to make a substitute for the deficiency, by raising such farther number of levies, or by calling into the service of the United States such a body of militia as shall be equal thereto.

and levies, in addition to, or in lieu of militia,

their term of service & number.

Sec. 9. *And be it further enacted,* That the President be, and he hereby is empowered to organize the said levies, and alone to appoint the commissioned officers thereof, in the manner he may judge proper.

To organize the levies & appoint officers.

Sec. 10. *And be it further enacted,* That the commissioned and non-commissioned officers, privates

Militia and levies to be on the same footing as troops of U. States. and musicians of the militia or said corps of levies, shall during the time of their service, be subject to the rules and articles of war; and they shall be intitled to the same pay, rations and forage, and, in case of wounds or disability in the line of their duty, to the same compensation as the troops of the United States.

and entitled to clothing, Sec. 11. *And be it further enacted,* That the non-commissioned officers, privates and musicians of the said corps of levies, shall be intitled to receive such proportional quantity of clothing, as their time of service shall bear to the annual allowance of clothing to the troops of the United States, subject, however, to a proportional deduction from their pay.

and bounty, Sec. 12. *And be it further enacted,* That each of the non-commissioned officers, privates and musicians of the said levies, shall be intitled to receive three dollars as a bounty.

and engage surgeons' mates. Sec. 13. *And be it further enacted,* That in case the nature of the service, upon which the troops of the United States may be employed, should require a greater number of surgeon's mates than are provided for in the before-mentioned act, the President of the United States may engage, from time to time, such additional number of surgeon's mates, as he shall judge necessary.

Allowance to officers for recruiting. Sec. 14. *And be it further enacted,* That the commissioned officers, who shall be employed to recruit men for the said regiments, shall be intitled to receive for every recruit who shall be duly enlisted and mustered, the sum of two dollars.

Sec. 15. *And be it further enacted,* That for defraying the expence, for one year, of the additional

regiment to be raised by virtue of this act; for defraying the expense, for a like term, of the officers mentioned in the seventh section of this act; for defraying the expense of the said militia-horse, militia-foot, and levies, which may be called into, or engaged for the service of the United States, pursuant to this act; for defraying the expense of such surgeon's mates, as may be appointed pursuant to the fifteenth section of this act; for defraying the expense of recruiting the said two regiments; and for defraying the expense of any military posts which the President shall judge expedient and proper to establish, there be and hereby is appropriated a sum, not exceeding three hundred and twelve thousand six hundred and eighty-six dollars and twenty cents, to be paid out of the monies, which, prior to the first day of January next, shall arise from the duties imposed upon spirits distilled within the United States, and from stills, by the act, intituled, "An act repealing, after the last day of June next, the duties heretofore laid upon distilled spirits imported from abroad, and laying others in their stead; and also upon spirits distilled within the United States, and for appropriating the same;" together with the excess of duties which may arise from the duties imposed by the said act on imported spirits, beyond those which would have arisen by the act, intituled, "An act making farther provision for the payment of the debts of the United States."

Appropriation of monies for carrying this act into effect, and

its amount;

And to the end that the public service may not be impeded for want of necessary means;

Sec. 16. *Be it further enacted*, That it shall be lawful for the President to take on loan the whole sum by this act appropriated, or so much thereof as he may judge requisite, at an interest not exceeding six per centum per annum; and the fund estab-

which may be borrowed if necessary.

blished for the above-mentioned appropriation, is hereby pledged for the repayment of the principal and interest of any loan to be obtained in manner aforesaid; and in case of any deficiency in the said fund, the faith of the United States is hereby also pledged to make good such deficiency.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

CONGRESS OF THE UNITED STATES :

AT THE THIRD SESSION,

Begun and held at the City of Philadelphia, on Monday
the sixth of December, one thousand seven
hundred and ninety.

RESOLVED *by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled,* That Andrew Brown, or any other printer, be permitted, under the direction of the Secretary of State, to collate with, and correct by the original rolls, the laws, resolutions and treaties of the United States, to be by him printed. And that a certificate of their having been so collated and corrected be annexed to the said edition. *Provided,* That such collation and correction be at the expence of the said Andrew Brown, or such other printer, and that the person or persons to be by him or them employed in that service, be approved by the Secretary of State.

FREDERICK AUGUSTUS MUHLFENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, February the eighteenth, 1791.

GEORGE WASHINGTON,
President of the United States.

RESOLVED *by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled,* That the President of the United States be requested to cause to be communicated to the National

Assembly of France the peculiar sensibility of Congress to the tribute paid to the memory of Benjamin Franklin, by the enlightened and free representatives of a great nation in their decree of the eleventh of June, one thousand seven hundred and ninety.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, March the second, 1791.

GEORGE WASHINGTON
President of the United States.

RESOLVED by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled, That a mint shall be established under such regulations as shall be directed by law.

Resolved, That the President of the United States be and he is hereby authorized to cause to be engaged, such principal artists as shall be necessary to carry the preceding resolution into effect, and to stipulate the terms and conditions of their service, and also to cause to be procured such apparatus as shall be requisite for the same purpose.

FREDERICK AUGUSTUS MUHLENBERG
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States
and President of the Senate.*

APPROVED, March the third, 1791.

GEORGE WASHINGTON
President of the United States.

RESOLVED *by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled,* That the President of the United States be, and he hereby is requested, to cause an estimate to be laid before Congress at their next session, of the quantity and situation of the lands not claimed by the Indians, nor granted to, nor claimed by any of the citizens of the United States, within the territory ceded to the United States, by the state of North Carolina, and within the territory of the United States, north-west of the river Ohio.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

WHEREAS Congress did, by a resolution of the twenty-third day of September, one thousand seven hundred and eighty-nine, recommend to the several states to pass laws making it expressly the duty of the keepers of their jails to receive and safe keep therein all prisoners committed under the authority of the United States; in order therefore to ensure the administration of justice,

RESOLVED *by the SENATE and HOUSE of REPRESENTATIVES of the United States of America in Congress assembled,* That in case any state shall not have complied with the said recommendation, the marshal in such state, under the direction of the judge of the district, be authorized to hire a convenient place to serve as a temporary jail, and to make the necessary provision for the safe-keeping of prisoners committed under the authority of the United States,

until permanent provision shall be made by law for that purpose ; and the said marshal shall be allowed his reasonable expenses incurred for the above purposes, to be paid out of the treasury of the United States.

FREDERICK AUGUSTUS MUHLENBERG,
Speaker of the House of Representatives.

JOHN ADAMS, *Vice-President of the United States,*
and President of the Senate.

APPROVED, March the third, 1791.

GEORGE WASHINGTON,
President of the United States.

END OF THE THIRD SESSION.

A P P E N D I X.

To render this Edition of the Acts as complete as possible, such of the Ordinances, Resolves, &c. of the old Congress as were deemed useful, are subjoined by way of Appendix.

*By the UNITED STATES in CONGRESS
assembled,*

FEBRUARY 22, 1782.

RESOLVED, That the Department of Foreign Affairs be under the direction of such officer, as the United States in Congress assembled have already for that purpose appointed, or shall hereafter appoint, who shall be stiled, "Secretary to the United States of America for the Department of Foreign Affairs;" shall reside where Congress or a committee of the states shall sit, and hold his office during the pleasure of Congress.

That the books, records and other papers of the United States, that relate to this department, be committed to his custody, to which, and all other papers of his office, any member of Congress shall have access: Provided, That no copy shall be taken of matters of a secret nature, without the special leave of Congress.

That the correspondence and communications with the ministers, consuls and agents of the United States, in foreign countries, and with the ministers and other officers of foreign powers with Congress, be carried on through the office of foreign affairs by the said Secretary, who is also empowered to correspond with all other persons from whom he may expect to receive useful information relative to his department: Provided always, That letters

to the ministers of the United States, or ministers of foreign powers, which have a direct reference to treaties or conventions proposed to be entered into, or instructions relative thereto, or other great national subjects, shall be submitted to the inspection, and receive the approbation of Congress before they shall be transmitted.

That the Secretary for the department of foreign affairs correspond with the Governors or Presidents of all or any of the United States, affording them such information from his department as may be useful to their states or to the United States, stating complaints that may have been urged against the government of any of the said states, or the subjects thereof, by the subjects of foreign powers, so that justice may be done agreeably to the laws of such state, or the charge proved to be groundless, and the honor of the government vindicated.

He shall receive the applications of all foreigners relative to his department, which are designed to be submitted to Congress, and advise the mode in which the memorials and evidence shall be stated in order to afford Congress the most comprehensive view of the subject; and if he conceives it necessary, accompany such memorial with his report thereon: he may concert measures with the ministers or officers of foreign powers, amicably to procure the redress of private injuries, which any citizen of the United States may have received from a foreign power or the subjects thereof, making minutes of all his transactions relative thereto, and entering the letters at large which have passed on such occasions.

He shall report on all cases expressly referred to him for that purpose by Congress, and on all others touching his department, in which he may conceive it necessary.

And that he may acquire that intimate knowledge of the sentiments of Congress, which is necessary for his direction, he may at all times attend upon Congress, and shall particularly attend when summoned or ordered by the President.

He may give information to Congress respecting his department, explain and answer objections to his reports, when under consideration, if required by a member and no objection be made by Congress: he shall answer to such enquiries respecting his department as may be put from the chair by order of Congress, and to questions stated in writing about matters of fact which lie within his knowledge, when put by the President at the request of a member, and not disapproved of by Congress; the answers to such questions may, at the option of the Secretary, be delivered by him in writing.

He shall have free access to the papers and records of the United States, in the custody of their Secretary, or in the offices of finance and war or elsewhere; he may be furnished with copies, or take extracts therefrom, when he shall find it necessary.

He shall use means to obtain from the ministers and agents of the said United States in foreign countries, an abstract of their present state, their commerce, finances, naval and military strength, and the characters of sovereigns and ministers, and every other political information which may be useful to the United States.

All letters to sovereign powers, letters of credence, plans of treaties, conventions, manifestoes, instructions, passports, safe-conducts, and other acts of Congress relative to the department of foreign affairs, when the substance thereof shall have been previously agreed to in Congress, shall be reduced to form in the office of foreign affairs, and submitted to the opinion of Congress, and when passed, signed and attested, sent to the office of foreign affairs to be countersigned and forwarded.

If an original paper is of such a nature as cannot be safely transmitted without cyphers, a copy in cyphers, signed by the Secretary for the department of foreign affairs, shall be considered as authentic, and the ministers of the United States at foreign courts, may govern themselves thereby in the like manner as if the originals had been transmitted.

And for the better execution of the duties hereby assigned him, he is authorized to appoint a secretary, and one, or if necessary more clerks, to assist him in the business of his office.

Resolved, That the salaries annexed to this department shall be as follows :

To the Secretary of the United States for the department of foreign affairs, the sum of four thousand dollars per annum, exclusive of office expences, to commence from the first day of October last.

To the secretary one thousand dollars per annum.

To the clerks each five hundred dollars per annum.

Resolved, That the Secretary for the department of foreign affairs, and each of the persons employed under him, shall take an oath before a judge of the state where Congress shall sit, for the faithful discharge of their respective trusts, and an oath of fidelity to the United States, before they enter upon office.

MARCH 16, 1784.

RESOLVED, That it is inconsistent with the interests of the United States to appoint any person not a citizen thereof, to the office of Minister, Chargé des Affaires Consul, Vice-Consul, or to any other civil department in a foreign country; and that a copy of this resolve be transmitted to Messieurs Adams, Franklin and Jay, Ministers of the said States in Europe.

An ORDINANCE for ascertaining the POWERS and DUTIES of the SECRETARY AT WAR.

BE it ordained by the United States in Congress assembled, That the powers and duty of the Secretary at War shall be as follows—to wit: To examine into the present state of the war department, the returns and present state

of the troops, ordnance, arms, ammunition, cloathing and supplies of the troops of these states, and report the same to Congress: to keep exact and regular returns of all the forces of these states, and of all the military stores, equipments and supplies in the magazines of the United States, or in other places for their use; and to receive into his care, from the officers in whose possession they may be, all such as are not in actual service: to form estimates of all such stores, equipments and supplies as may be requisite for the military service, and for keeping up competent magazines, and to report the same to the commissioners of the treasury of the United States, that measures may be taken in due time for procuring the same: to prepare estimates for paying and recruiting the troops of these United States: to carry into effect all ordinances and resolves of Congress for raising and equipping troops for the service of the United States, and for inspecting the said troops; and to direct the arrangement, destination and operation of such troops as are or may be in service, subject to the orders of Congress or of the Committee of the States in the recess of Congress: to make out, seal and countersign the commissions of all such military officers as shall be employed in the service of the United States: to take order for the transportation, safe-keeping and distributing the necessary supplies for such troops and garrisons as may be kept up by the United States. He shall appoint and remove at pleasure all persons employed under him, and shall be responsible for their conduct in office; all which appointments shall be immediately certified to Congress, and such certificate, or the substance thereof, registered in a book to be kept for that purpose in the office of the Secretary of Congress. He shall keep a public and convenient office in the place where Congress shall reside. He shall, at least once a year, visit all the magazines and deposits of public stores, and report the state of them with proper arrangements to Congress; and shall twice a year, or oftener if thereto required, settle the accounts of his department. That as well the Secretary at War as his assistants or clerks, before they shall enter on

the duties of their office, shall respectively take and subscribe an oath or affirmation of fidelity to the United States, and for the faithful execution of the trust reposed in them; and which oaths or affirmations shall be administered by the Secretary of Congress, and a certificate thereof filed in his office. The oath of fidelity shall be in the words following—"I, A. B. appointed to the office of _____ do acknowledge that I do owe faith and true allegiance to the United States of America; and I do swear (or affirm) that I will, to the utmost of my power, support, maintain and defend the said United States in their freedom, sovereignty and independence, against all opposition whatsoever." And the oath of office shall be in the words following—"I, A. B. appointed to the office of _____ do swear (or affirm) that I will faithfully, truly and impartially execute the office of _____ to which I am so appointed, according to the best of my skill and judgment; and that I will not disclose or reveal any thing that shall come to my knowledge in the execution of the said office, or from the confidence I may thereby acquire, which in my own judgment or by the injunction of my superiors ought to be kept secret." That the form of the oath of fidelity heretofore prescribed by Congress, and all former resolutions of Congress relative to the department of war, be, and they are hereby repealed.

DONE by the United States in Congress assembled, the twenty-seventh day of January, in the year of our Lord one thousand seven hundred and eighty-five, and of our sovereignty and independence the ninth.

RICHARD HENRY LEE, *President.*

CHA. THOMSON, *Sec'y.*

An ORDINANCE for the GOVERNMENT of the TERRITORY of the UNITED STATES north-west of the River OHIO.

BE it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district; subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Be it ordained by the authority aforesaid, That the estates both of resident and non-resident proprietors in the said territory, dying intestate, shall descend to, and be distributed among their children, and the descendants of a deceased child in equal parts; the descendants of a deceased child or grand-child, to take the share of their deceased parent in equal parts among them: And where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate, shall have in equal parts among them their deceased parents share; and there shall in no case be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate, her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district.—And until the governor and judges shall adopt laws as herein after mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her, in whom the estate may be (being of full age) and attested by three witnesses;—and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution hereof duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be

transferred by delivery ; saving, however to the French and Canadian inhabitants, and other settlers of the Kafkaskies, Saint Vincent's, and the neighbouring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance of property.

Be it ordained by the authority aforesaid, That there shall be appointed from time to time, by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress: he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

There shall be appointed from time to time, by Congress a secretary, whose commission shall continue in force for four years, unless sooner revoked ; he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office : it shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department ; and transmit authentic copies of such acts and proceedings, every six months, to the secretary of Congress : There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in five hundred acres of land, while in the exercise of their offices ; and their commissions shall continue in force during good behaviour.

The governor and judges, or a majority of them, shall adopt and publish in the district, such laws of the original states, criminal and civil, as may be necessary, and best suited to the circumstances of the district, and report them to Congress, from time to time ; which laws shall be in force in the district until the organization of the general assembly therein, unless disapproved of by Congress ; but afterwards the legislature shall have authority to alter them as they shall think fit.

The governor for the time being, shall be commander in chief of the militia, appoint and commission all officers in the same, below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same: After the general assembly shall be organized, the powers and duties of magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers, not herein otherwise directed, shall during the continuance of this temporary government, be appointed by the governor.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof—and he shall proceed from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships, to represent them in the general assembly; provided that for every five hundred free male inhabitants, there shall be one representative, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty-five; after which the number and proportion of representatives shall be regulated by the legislature: provided that no person be eligible or qualified to act as a representative, unless he shall have

been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same: provided also, that a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district, or the like freehold and two years residence in the district shall be necessary to qualify a man as an elector of a representative.

The representatives thus elected, shall serve for the term of two years; and in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township, for which he was a member, to elect another in his stead, to serve for the residue of the term.

The general assembly, or legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum: and the members of the council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the governor shall appoint a time and place for them to meet together, and, when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom Congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to

Congress ; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws, in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent ; but no bill or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue and dissolve the general assembly, when in his opinion it shall be expedient.

The governor, judges, legislative council, secretary and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity, and of office ; the governor before the president of Congress, and all other officers before the governor. As soon as a legislature shall be formed in the district, the council and house assembled, in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting during this temporary government.

And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected ; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory : to provide also for the establishment of states, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original states, at as early periods as may be consistent with the general interest :

It is hereby ordained and declared, by the authority aforesaid, That the following articles shall be considered as articles of compact between the original states, and the people and states in the said territory, and forever remain unalterable, unless by common consent, to wit :

Article the first. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

Article the second. The inhabitants of the said territory, shall always be entitled to the benefits of the writ of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law. All persons shall beailable, unless for capital offences, where the proof shall be evident, or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers, or the law of the land, and should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall in any manner whatever interfere with, or affect private contracts or engagements, bona fide, and without fraud previously formed.

Article the third. Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights and liberty, they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

Article the fourth. The said territory, and the states which may be formed therein, shall forever remain a part of this confederacy of the United States of America, sub-

ject to the articles of confederation, and to such alterations therein, as shall be constitutionally made ; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory, shall be subject to pay a part of the federal debts, contracted or to be contracted, and a proportional part of the expences of government, to be apportioned on them by Congress, according to the same common rule and measure, by which apportionments thereof shall be made on the other states ; and the taxes for paying their proportion, shall be laid and levied by the authority and direction of the legislatures of the district or districts or new states, as in the original states, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts or new states, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the bona fide purchasers. No tax shall be imposed on lands the property of the United States ; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said territory, as to the citizens of the United States, and those of any other states that may be admitted into the confederacy, without any tax, impost, or duty therefor.

Article the fifth. There shall be formed in the said territory, not less than three, nor more than five states ; and the boundaries of the states, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit : The western state in the said territory, shall be bounded by the Mississippi, the Ohio and Wabash rivers ; a direct line drawn from the Wabash and Post Vincents due north to the territorial line between the United States and Canada ; and by the said territorial line to the lake of the Woods and Mississippi. The middle state shall be bounded by the

said direct line, the Wabash from Post Vincents to the Ohio ; by the Ohio, by a direct line drawn due north from the mouth of the Great Miami, to the said territorial line, and by the said territorial line. The eastern state shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line : Provided however, and it is further understood and declared, that the boundaries of these three states, shall be subject so far to be altered, that if Congress shall hereafter find it expedient, they shall have authority to form one or two states in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of lake Michigan. And whenever any of the said states, shall have sixty thousand free inhabitants therein, such state shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original states, in all respects whatever ; and shall be at liberty to form a permanent constitution and state government : Provided the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles ; and so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the state than sixty thousand.

Article the sixth. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in punishment of crimes, whereof the party shall have been duly convicted : Provided always, that any person escaping into the same, from whom labour or service is lawfully claimed in any one of the original states, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labour or service as aforesaid,

DONE by the United States, in Congress assembled the thirteenth day of July, in the year of our Lord one thousand seven hundred and eighty-seven, and of their sovereignty and independence the twelfth.

WILLM. GRAYSON, *Chairman.*

CHA. THOMSON, *Sec'ry.*

SEPTEMBER 28, 1787.

WHEREAS doubts have in certain instances arisen whether foreign consuls residing in the United States are entitled to an exemption from such legal imposts and duties on merchandises by them imported for their own use, as are payable by other subjects of their respective nations.

Resolved, That no consuls of any nation are entitled to such exemptions in the United States.

FEBRUARY 12, 1788.

RESOLVED, That the Secretary for foreign affairs, for the time being, be, and he is hereby authorized and directed, upon application made to him for that purpose, to grant in the usual form, sea-letters for any vessel or vessels owned entirely and navigated chiefly by citizens of the United States, and bound on long and distant voyages, at his discretion: Provided always, That it be made appear to him, by oath or affirmation, or by such other evidence as shall by him be deemed satisfactory, by the person or persons applying therefor, that the vessel or vessels for which such sea-letters shall be required, shall, together with all and every part of her cargo be owned entirely and commanded by officers citizens of the United States, and shall be navigated for the most part by the same. That for this purpose the Secretary for foreign affairs be, and he is hereby instructed to procure a sufficient number of blank sea-letters, drafted in the usual form, and signed by the President of Congress, for the purposes aforesaid; and that the same when filled up, be sealed with the seal of the United States, and certified by the Secretary of Congress.

JUNE 20, 1788.

THE Committee consisting of Mr. Williamson, Mr. Dane, Mr. Carrington, Mr. Kearney and Mr. Win- gate, to whom was referred a memorial of George Mor-

gan and his associates, respecting a tract of land in the Illinois country, on the Mississippi, having reported thereon, and their report being amended to read as follows: "That there are sundry French settlements on the river Mississippi, within the tract which Mr. Morgan and his associates propose to purchase. Near the mouth of the river Kaskaskies there is a village which appears to have contained near eighty families, from the beginning of the late revolution. There are twelve families in a small village at la Prairie du Rochers, and near fifty families at the Cahokia village. There are also four or five families at fort Chartres and St. Philip's, which is five miles farther up the river. The heads of families in those villages appear each of them to have had a certain quantity of arable land allotted to them, and a proportionate quantity of meadow and of wood-land or pasture. Your committee are of the opinion, that from any general sale which may be made of the lands on the Mississippi, there should at least be a reserve of so much land as may satisfy all the just claims of the ancient settlers on that river, and that they should be confirmed in the possession of such lands as they may have had at the beginning of the late revolution, which may have been allotted to them according to the laws or usages of the governments under which they have respectively settled. And whereas an additional quantity of land may be necessary for the support of those people whenever the settlement shall encrease, and the Indian trade, by which they have chiefly subsisted, shall become less profitable, your committee are of the opinion that such allowance should also be made to them within the reserved limits. Your committee observe that in the contract which is already made for the sale of a tract of land in the western country, the purchasers are to be charged with surveying three lots which are reserved for the benefit of the United States. They conceive that future contractors may be relieved from this expence, but they would propose that every agreement hereafter to be made, shall be equally binding on the contracting parties; whereupon they submit the following resolves.

That the board of treasury be authorized to contract with any person or persons for a grant of a tract of land, which shall be bounded as follows : Beginning on the river Au Vase, in the parallel of latitude of the mouth of Little Wabash river ; thence running due north to the parallel of latitude which passes through the mouth of Wood river ; thence west to the Mississippi at the mouth of Wood river ; thence down the river Mississippi to the mouth of the river Au Vase ; thence up the said river to the place of beginning, under the exceptions and reservations hereinafter mentioned.

That the purchaser or purchasers shall oblige themselves to lay off the tract at their own expence, into townships or fractional parts of townships, and to divide the same into lots according to the land ordinance of the 20th May, 1785, compleat returns of which are to be made to the board of treasury. The lot No. 16, in each township, or fractional part of a township, to be given perpetually for the purposes contained in the said ordinance ; and the lot No. 29, in each township, or fractional part of a township, to be given perpetually for the purposes of religion ; and that each of the several townships shall be thus laid off before the original purchaser or purchasers shall have disposed of the same, or made any settlement therein. The price to be not less than two thirds of a dollar per acre for the contents of the said tract, except the reservations and gifts herein mentioned, payable in specie, loan-office certificates reduced to specie value, or certificates of liquidated debts of the United States ; the principal only of the said certificates to be received in payment ; and the board of treasury, for such interest as may be due on the certificates rendered in payment as aforesaid, prior to the first day of January, 1787, shall issue indents for interest to the possessors, which shall be receivable in payment as other indents for interest of the existing requisitions of Congress ; and for such interest as may be due on the said certificates between that period and the time of payment, the board shall issue indents, the payment of which to be provided for hereafter. That part of the purchase money,

not less than one hundred and fifty thousand dollars, shall be paid down upon the closing of the contract, and the remainder of the purchase money whenever the Indian claim shall have been extinguished, and the boundary line of the tract run by the geographer of the United States or his assistant; the contents of the land which is to be sold ascertained, and a plot of the same returned to the office of the treasury board, on which payment a grant shall be made, and the purchaser or purchasers shall have the right of entry and occupancy.

That separate tracts shall be reserved for satisfying the claims of the antient settlers, which shall be included within the following boundary—viz. A straight line to be extended from the mouth of the little river Marie, below the river Kaskaskies, to the old French fort on the east side of the said river Kaskaskies, and opposite the Kaskaskie village; thence north three miles; thence west across the Kaskaskies river to the ridge of rocks and high land which extend from the Kaskaskies to the Illinois rivers; then along the west side or foot of the said ridge of rocks and high land, to the parallel that runs two miles north of the church at Kahokia; thence west to the river Mississippi; thence down the said river to the mouth of the river Marie.

That measures be immediately taken for confirming in their possessions and titles, the French and Canadian inhabitants and other settlers on those lands, who on or before the year 1783, had professed themselves citizens of the United States or any of them, and for laying off the several tracts which they rightfully claim within the described limits; and for laying off for the benefit of the said inhabitants, three additional tracts adjoining the several villages Kaskaskies, La Prairie du Rochers, and Kahokia, in the form of a parallelogram, extending from the river Mississippi eastward, to the ridge of rocks before described, and of such extent as shall contain four hundred acres for each of the families now living at either of the villages of Kaskaskies, La Prairie du Rochers, Kahokia, fort Chartres, or St. Philip's. The additional reserved tract adjoining the

village of Kaskaskies shall be for the heads of families in that village; the tract adjoining La Prairie du Rochers for the heads of families in that village; and the tract adjoining Kahokia for the heads of families in that village, as also for those at fort Chartres and St. Philip's. Such additional donations of four hundred acres each to be distributed by lot, and immediate possession given: Provided nevertheless, That no person thus obtaining possession of such donation lands shall have power to alienate the same, until he or she, or his or her heirs shall have resided at least three years from the time of such distribution, within that district; at the end of which period, every such resident shall obtain a title to the reserved lot; and all lots not thus conveyed to residents, shall revert to the United States.

That whenever the French and Canadian inhabitants and other settlers aforesaid shall have been confirmed in their possessions and titles, and the amount of the same ascertained, and the three additional parallelograms for future donations, and a tract of land one mile square on the Mississippi, extending as far above as below fort Chartres, and including the said fort, the buildings and improvements adjoining the same, shall be laid off; the whole remainder of the soil within the reserved limits above described, shall be considered as appertaining to the general purchase, and shall be conveyed accordingly.

That measures be immediately taken to extinguish the Indian claim, if any such exists, to the land bordering on the Mississippi, from the mouth of the Ohio to a determined station on the Mississippi, that shall be sixty or eighty miles north from the mouth of the Illinois river, and extending from the Mississippi as far eastward as may be.

That the Governor of the Western Territory be instructed to repair to the French settlements on the Mississippi, at and above the Kaskaskies: that he examine the titles and possessions of the settlers as above described, in order to determine what quantity of land they may severally claim, which shall be laid off for them at their own

expence; and that he take an account of the several heads of families living within the reserved limits, in order that he may determine the quantity of land that is to be laid off in the several parallelograms, which shall be laid off accordingly by the geographer of the United States or his assistant, at the expence of the United States.

That the geographer of the United States be instructed to take the latitude of the mouth of the river Au Vase, and the mouth of Wood river, and of the north-east and southern angle of the tract; and that in executing all other large surveys, he take the latitude of three or four of the chief corners."

Resolved, That Congress agree to the said report.

AUGUST 26, 1785.

RESOLVED, That the early, unsolicited and continued labours of Mr. Thomas Paine, in explaining and enforcing the principles of the late revolution by ingenious and timely publications upon the nature of liberty and civil government, have been well received by the citizens of these states, and merit the approbation of Congress; and that in consideration of these services, and the benefits produced thereby, Mr. Paine is entitled to a liberal gratification from the United States.

OCTOBER 3, 1785.

Resolved, That the board of treasury take order for paying to Mr. Thomas Paine, the sum of three thousand dollars, for the considerations mentioned in the resolution of the 26th of August last.

In CONGRESS July 4, 1776.

*The UNANIMOUS DECLARATION of the THIRTEEN
UNITED STATES of AMERICA.*

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the Earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident; that all men are created equal; that they are endowed, by their Creator, with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness.—That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established, should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great-Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an

absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature; a right inestimable to them, and formidable to tyrants only. He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining, in the mean time, exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependant on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers, to harrass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws ; giving his assent to their acts of pretended legislation :

For quartering large bodies of armed troops among us :

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states :

For cutting off our trade with all parts of the world :

For imposing taxes on us without our consent :

For depriving us, in many cases, of the benefits of trial by jury :

For transporting us beyond seas to be tried for pretended offences :

For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies :

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments :

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction, of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms: Our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connexions and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the UNITED STATES OF AMERICA, in GENERAL CONGRESS assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by autho-

rity of the good people of these colonies, solemnly publish and declare, That these United Colonies are, and of right ought to be, FREE and INDEPENDENT STATES; that they are absolved from all allegiance to the British crown, and that all political connexion between them and the state of Great-Britain, is, and ought to be, totally dissolved; and that as FREE and INDEPENDENT STATES, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which INDEPENDENT STATES may of right do. And for the support of this declaration, with a firm reliance on the protection of DIVINE PROVIDENCE, we mutually pledge to each other our lives, our fortunes, and our sacred honour.

J O H N H A N C O C K.

<i>New-Hampshire.</i>	{	Josiah Bartlett, William Whipple, Matthew Thornton.
<i>Massachusetts-Bay.</i>	{	Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry.
<i>Rhode-Island, &c.</i>	{	Stephen Hopkins, William Ellery. Roger Sherman,
<i>Connecticut.</i>	{	Samuel Huntington, William Williams, Oliver Wolcott.
<i>New-York.</i>	{	William Floyd, Philip Livingston, Francis Lewis, Lewis Morris.
<i>New-Jersey.</i>	{	Richard Stockton, John Witherspoon, Francis Hopkinson, John Hart, Abraham Clark.

<i>Pennsylvania.</i>	{ Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson, George Rofs.
<i>Delaware.</i>	{ Cæsar Rodney, George Read, Thomas M'Kean.
<i>Maryland.</i>	{ Samuel Chafe, William Paca, Thomas Stone, Charles Carroll, of Carrollton.
<i>Virginia.</i>	{ George Wythe, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, jun. Francis Lightfoot Lee, Carter Braxton.
<i>North-Carolina.</i>	{ William Hooper, Joseph Hewes, John Penn.
<i>South-Carolina.</i>	{ Edward Rutledge, Thomas Heyward, jun. Thomas Lynch, jun. Arthur Middleton.
<i>Georgia.</i>	{ Button Gwinnett, Lyman Hall, George Walton.

DEPARTMENT *of* STATE, *to wit.*

I HEREBY certify that an edition of the Acts of Congress, passed at the session which began on the 6th day of December 1790, under the title of 'Acts passed at the third session of the Congress of the United States of America,' printed in this present year 1791, at Philadelphia, by Francis Childs and John Swaine, in 94 pages octavo, have, from page 3 to page 94, inclusive, been carefully collated by sworn Clerks, with the original rolls deposited in the office of the Secretary of State, and have been rendered conformable therewith:

GIVEN under my hand at Philadelphia, this 6th day of August, 1791.

THOMAS JEFFERSON, *Secretary of State.*



I N D E X.

N. B. *The Numerals i, ii, iii, refer to the respective Sessions in which the Laws were passed.*

A.

ACCOUNTS. See *Public Accounts.*

A C C E S S O R Y.

Who shall be deemed Accessories before, or after, the fact, and how they shall be punished - - - ii. sec. 10, 11. p. 33.
See *Larceny.*

ACTS. See *Laws. Records.*

AFFIRMATION. See *Oath.*

ALIEN. See *Naturalization.*

A M B A S S A D O R.

Process issued under the authority of the United States, or the particular States, against ambassadors or other public ministers, or their domestics, shall be deemed void; and the parties concerned in issuing or executing the same, shall be deemed violators of the law of nations; and how punished - - - - - ii. f. 25, 26. p. 39.

Citizens having prior debts and entering into the service of ambassadors, shall not be privileged; nor any other domestic, whose name has not been registered with the Secretary of State - - - ii. f. 27. p. 40.

Violation of a safe-conduct or passport, or offering violence to the person of a public minister, how punished - - - ii. f. 28. p. 40.

Forty thousand dollars to be drawn annually for the outfit and salaries of ministers plenipotentiary, and their secretaries, and for charge des affaires, in the service of the United States; and the President to account specifically for the expenditure - - - - - ii. f. 1. p. 64.

The salaries of foreign ministers limited - - - ii. f. 1. p. 64.

A M E N D M E N T S.

Amendments proposed by two-thirds of both Houses of Congress, to the Constitution of the United States - - - - - i. p. 154.

ASSENT. See *Congress.*

ASSISTANT-SECRETARY. See *Treasury.*

APPEAL. See *Public Accounts. Judiciary.*

A P P R O P R I A T I O N S.

Appropriations for the year 1789, - - - - - i. f. 1. p. 148.

Appropriations for the year 1790 - - - - - ii. p. 13.

I N D E X.

- Appropriations for specific purposes - - - ii. p. 192.
Appropriation of a surplus of revenue to purchase the public debt,
ii. f. 1. p. 195.
Appropriations for the year 1791, and for certain specific purposes,
iii. p. 9.
Appropriation to effect a recognition of the treaty with Morocco, iii. p. 64.
Appropriation of a sum arising from fines and forfeitures to pay the accounts
of the Marshals for contingent expences, and the attendance of jurors
and witnesses - - - - - iii. f. 1. p. 70.
Appropriation for the expences of the military establishment of the United
States - - - - - iii. f. 15. p. 88.

See *Ambassadors. Government. Indians. Public Debt.*

P A T E N T S.

- The Secretary of State, the Secretary at War, and Attorney-General, may
grant exclusive right for 14 years, in the invention or discovery of any
useful art - - - - - ii. f. 1. p. 24.
The mode of applying for a patent, and the forms of granting it,
ii. f. 1, 2. p. 24, 25.
Specifications and models of the things invented to be deposited in the office
of the Secretary of State, and copies may be taken, ii. f. 2, 3. p. 25, 26.
Penalty on transgressing the exclusive right of a patentee, ii. f. 4. p. 26.
Proceeding to repeal a patent surreptitiously obtained - ii. f. 5. p. 26.
In actions for a penalty under this act, the patent shall be deemed prima
facie evidence of the first discovery; but the defendant may give the
special matter in evidence upon notice to the plaintiff, ii. f. 6. p. 27.
Fees upon obtaining patents - - - - - ii. f. 7. p. 28.

AUDITOR. See *Treasury.*

AUTHORS. See *Copy-right.*

B.

B A N K.

- The bank of the United States established; 10,000,000 dollars the amount
of its capital stock, and 25,000 the number of shares; subscriptions to
be opened on the first Monday of April, by persons to be appointed by
the President, and to continue open till the whole stock is subscribed,
iii. f. 1. p. 13.
Who may subscribe, and what number of shares each; the subscription pay-
able one fourth in gold or silver, and three fourths in 6 per cent. stock of
the United States, and in four instalments, at 6 months distance from each
other; the first at the time of subscribing - - - - - iii. f. 2. p. 13.
The subscribers to the bank incorporated till the 4th March, 1811, their
file and powers declared - - - - - iii. f. 3. p. 14.
The number of directors, and the times and manner of electing them; the
directors to serve for one year, and to choose one of their number as pre-
sident - - - - - iii. f. 4. p. 15.

I N D E X.

- As soon as 400,000 specie dollars are received, the commissioners for taking subscriptions shall give notice thereof, and notify a time and place in Philadelphia, at the distance of 90 days, for proceeding to the election of directors, who shall serve till the first Monday in January, 1792, and forthwith commence the operations of the bank - iii. f. 5. p. 15.
- Though elections are neglected to be held on the day prescribed by the act, the corporation shall not be dissolved; and vacancies may be filled up by a new choice - - - - - iii. f. 5. p. 15.
- Directors shall have power to appoint subordinate officers, and exercise such other powers as shall be fixed by the by-laws of the corporation, - - - - - iii. f. 6. p. 16.
- Certain fundamental articles of the constitution of the corporation prescribed —to wit: The number of votes to which each stockholder shall be entitled; how long a share must be held before the day of election, to entitle to a vote; stockholders resident in the United States, and none other, may vote by proxy; a certain rotation of directors, except the president; none but citizens eligible as directors; compensation to president and directors; what number of directors, with the president, shall constitute a board, and how the president's absence may be supplied; what number of stockholders, and to what amount, may call a meeting, and how the same shall be called; the cashier or treasurer to give bond for his good behaviour; limitation of real estate to be held by the corporation; limitation of the amount of their debts, penalty on the directors who exceed it, and how dissenting directors may avoid the penalty; the corporation may sell the public debt, part of its stock, but shall not buy any, nor trade in respect to any but the specified objects, nor take more than 6 per cent. interest; limitations with respect to loans to the United States, to particular states, or foreign powers; the stock shall be assignable and transferable; bills obligatory under the seal of the corporation, shall be assignable by indorsement, and if to bearer, by delivery; dividends of profits to be made half yearly; once in every three years the directors shall lay a statement of the affairs of the corporation before the stockholders; persons failing in payment of sums subscribed, shall lose the dividend that previously accrued, and during the delay; the directors may establish offices of discount and deposit wherever they think fit, within the United States, and appoint the officers thereof; Secretary of the Treasury to be furnished with statements, and may inspect the books of the bank, except private books with individuals - - - - - iii. f. 7. p. 16, 17, 18, 19, 20, 21.
- Penalty on the corporation trading contrary to the provisions of the act, - - - - - iii. f. 8. p. 20.
- How loans may be granted; and penalty on making them contrary to the provisions of the act - - - - - iii. f. 9. p. 21.
- Bank notes receivable in all payments to the United States, - - - - - iii. f. 10. p. 22.
- The president, within 13 months after the 1st of April, 1791, may make an additional subscription to the bank, on account of the United States; he may borrow for that purpose from the bank, and how the same shall be repaid - - - - - iii. f. 11. p. 23.

I N D E X.

- No other bank to be established by the United States, during the continuance of this corporation, - - - iii. f. 12. p. 23.
The subscriptions to the stock of the bank postponed till the 1st Monday in July, 1791; and the first payment in 6 per cents deferred till the 1st Monday in January, 1792, - - - iii. f. 1, 2. p. 24.
No more than 30 shares to be subscribed by one person, in one day, for 3 months after the subscription is opened - - - iii. f. 3. p. 24.
The first specie payment to be paid at the time of subscribing, and it shall be forfeited in case of failure in any of the subsequent payments, - - - iii. f. 4. p. 24.
Three per cents may be subscribed at a certain rate, and subject to a qualified redemption, before the 1st January, 1793, - - - iii. f. 5. p. 24.

BEACONS. See *Light-Houses*.

B E O U V A I S.

A certain tract of land, formerly occupied by the Jesuits, to be confirmed to St. Jam. Beouvais, - - - iii. f. 7. p. 84.

BOATS. See *Customs*.

BONDS. See *Customs*.

BOOKS. See *Copy-right*.

BOUNDARIES. See *Surveys*.

B R I B E R Y.

What shall be deemed Bribery, and how it shall be punished, - - - ii. f. 21. p. 37.
See *Customs*.

BUOYS. See *Light-Houses*.

C.

CALICOES. See *Customs*.

CENSUS. See *Enumeration*.

C E S S I O N.

Cession of a certain district of territory made by North-Carolina to the United States, accepted - - - ii. p. 18.
See *Light-Houses*.

CHALLENGE. See *Mute*.

CHARGE DES AFFAIRES. See *Ambassador*.

CHEROKEES. See *Indians*.

CHICKESAWS. See *Indians*.

CHINTZES. See *Customs*.

CHOCTAWS. See *Indians*.

CLEARANCE. See *Registry. Customs*.

CLERKS. See *Oath. Compensations*.

CIRCUIT-COURT. See *Judiciary*.

CITIZENSHIP. See *Naturalization*.

COASTING-TRADE. See *Registry. Customs*.

COINS. See *Foreign Coins. Customs*.

C O L L E C T O R.

The duties of the collector at ports to which a collector, naval-officer, and surveyor are assigned, - - - ii. f. 6. p. 119.

I N D E X.

- If no deputy-collector has been appointed, the naval-officer, or surveyor, as the case may be, shall exercise the duties in case of the collector's death or disability - - - ii. f. 7, 8. p. 121.
- The duties of the collector at ports, to which a collector and surveyor only are assigned, or in case of the disability or death of the naval-officer, at ports where one is assigned - - - ii. f. 7, 8. p. 121.
- The duties of the collector at ports to which a collector only is assigned. - - - ii. f. 7, 8. p. 121.
- At such ports of delivery only, to which no surveyor is assigned, the collector may employ proper persons to do the duties of surveyor, who shall have the like compensation that inspectors have, - - - ii. f. 7, 8. p. 121.
- In case of the death or disability of a surveyor, the collector may nominate a person to do his duty - - - ii. f. 8. p. 121.
- The collectors respectively shall, at all times, pay to the order of the proper officer, the whole of the duties received (other than sums appropriated by the Act), and shall also, once in every three months, or oftner if required, transmit their accounts for settlement to the proper officer, - - - ii. f. 6. p. 121.
- The collector, in case of necessary absence or sickness, may appoint a deputy, for whom he shall be responsible; and, in case of the collector's death or disability, such deputy shall exercise all the duties, till a successor is appointed, - - - ii. f. 7, 8. p. 121.
- Collectors shall give bond to perform their duty, - - - ii. f. 51. p. 155.
- Fees of the collector, naval-officer, and surveyor; and an allowance per cent. to the collector, on monies received and paid into the treasury, - - - ii. f. 52, 53. p. 156, 158.
- The collector may in all cases act by deputy - - - ii. f. 70. p. 169.

See *Registry. Customs. Tonnage.*

C O M P E N S A T I O N S.

- The compensations of the heads of the great departments, and of their assistant and chief clerks - - - i. f. 1. p. 109.
- The compensations of senators prior to the 4th of March 1795, shall be six dollars per diem each, and six dollars for every twenty miles travelling to the seat of Congress - - - i. f. 1. p. 115.
- The compensations of senators, after the 4th of March, 1795, shall be seven dollars per diem each, and seven dollars for every twenty miles travelling to the seat of Congress - - - i. f. 2. p. 116.
- Senators to have the same allowance, though detained on their journey, or prevented attending Congress by sickness; provided the above allowance does not exceed the specified sum per diem from the end of one session, to the time of their taking their seats in another, - - - i. f. 2. p. 116.
- The compensation of representatives shall be six dollars per diem, and six dollars for every twenty miles travelling to the seat of Congress; with the same provision respecting sickness, as in the case of senators, - - - i. f. 3. p. 116.
- The speaker of the House of Representatives shall have six dollars in addition to his pay as a member - - - i. f. 3. p. 116.

I N D E X.

- The chaplains of Congress shall be allowed at the rate of five hundred dollars per annum, during the session of Congress, - i. f. 4. p. 11
- The secretary of the senate and clerk of the House of Representatives 150 dols. per annum each, and 2 dollars a day during the session; their respective chief clerks 3 dols. per day each, and their engrossing clerks 2 dollars, per day each - - - i. f. 4. p. 11
- The compensation of the serjeant at arms, 4 dollars per day—of the respective doorkeepers, 3 dollars per day each during the session—of the respective assistant doorkeepers, 2 dollars per day each, - - - i. f. 5. p. 11
- The compensations of the Senate and its officers shall be certified by the president; and of the House of Representatives by the speaker; and passed as public accounts and paid out of the treasury, - - - i. f. 6. p. 11
- The compensation of the judges of the Supreme Court and of the District Courts and of the Attorney General of the United States, - - - i. f. 1. p. 11
- The compensation of the President and Vice President of the United States - - - i. f. 1. p. 12
- The compensation of the board of commissioners for settling the account between the United States and the several states, and of their clerk ascertained - - - ii. f. 2. 8. p. 173, 17
- Compensation of the clerks of the commissioner of army accounts, at how to be adjusted, - - - ii. p. 19
- Principals in offices may apportion the salaries of their respective clerks, - - - iii. f. 3. p. 6
- Additional compensations for one year allowed to the register, auditor, comptroller, and attorney-general - - - iii. f. 4. p. 6
- Additional salary allowed to the chief clerk of the auditor, - - - iii. f. 1. p. 6
- Clerks to be allowed their reasonable expences incurred by the removal of Congress from New-York to Philadelphia - - - iii. f. 2. p. 6
- Additional allowance to the assistant-secretary of the treasury for one year - - - iii. f. 3. p. 6
- Compensation made to the commissioners of loans for stationary and the hire of clerks, - - - iii. f. 1, 2. p. 7
- Compensation of the officers of the judicial courts, jurors and witnesses. - - - iii. f. 1. p. 7

COMPTRROLLER. See *Treasury. Customs.*

CONFEDERACY. See *Piracy.*

C O N G R E S S.

- The second meeting of Congress fixed for the 1st Monday in January, 1790 - - - i. f. 1. p. 15
- The assent of Congress given to certain acts of the states of Maryland, Georgia and Rhode-Island - - - ii. f. 1. p. 18
- Assent to the operation of those laws extended - - - iii. f. 1. p. 18
- The assent of Congress declared to a certain act of the state of Maryland, - - - iii. f. 1. p. 18

I N D E X.

After the 3d of March, 1791, the first annual meeting of Congress fixed for the 4th of October following - - - iii. f. 1. p. 29.
See *Government*.

C O N N E C T I C U T.

The state of Connecticut formed into districts for the collection of duties and tonnage; and ports of entry and delivery, and proper officers, established - - - - - ii. f. 1. p. 104.
Additional ports of delivery established in Connecticut - ii. f. 2. p. 29.

C O N S T I T U T I O N.

The Constitution of the United States - - - - - i. p. 5.

CONSULS. See *Ambassador. France*.

C O N V I C T S.

The bodies of persons convicted of murder, in addition to the judgment of death, may be ordered for dissection; and rescue of such bodies, how punished - - - - - ii. f. 4. p. 30.
Conviction, or judgment, for treason, murder, or any capital offence, shall not work corruption of blood, or forfeiture of estate, ii. f. 24. p. 39.

C O P Y - R I G H T.

Authors and proprietors, or their assigns, shall have an exclusive right to publish and vend their works for the term of 14 years after recording the title - - - - - ii. f. 1. p. 52.
If the author is alive at the end of the first term, his exclusive right shall be renewed for another term of 14 years, recording the title of the work a second time - - - - - ii. f. 1. p. 52.
Persons encroaching upon the exclusive right of authors, how to be proceeded against, and punished - - - - - ii. f. 2. p. 53.
Forms of proceeding to secure the copy-right of authors, ii. f. 3, 4. p. 54, 55.
Foreign books republished here, not affected by the regulations of the Act, ii. f. 5. p. 55.
Publishing any manuscript without the consent of the author, how punished, ii. f. 6. p. 55.
Prosecutions under this Act, the general issue may be pleaded, and the special matter given in evidence - - - - - ii. f. 7. p. 55.

DISRUPTION OF BLOOD. See *Convicts*.

DEBTORS. See *Public Debt*.

WEEKS. See *Indians*.

CRIMES. See the proper titles.

C U S T O M S.

An act for laying a duty on goods, wares and merchandizes imported into the United States. [This, however, is repealed, and supplied by another act, of which there is an index given at large.] - i. f. 1. p. 25.
An act to regulate the collection of duties imposed by law on the tonnage of ships or vessels, and on goods, wares and merchandizes imported into the United States. [This, however, is repealed, and supplied by another act, of which there is an index given at large.] - i. f. 1. p. 34.
Privileges of vessels of the United States allowed to vessels of North-Car-

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- lina, and Rhode-Island, until the 15th of January, 1790, but certain articles manufactured there to be deemed foreign - i. f. 2, 3. p. 113, 114
- Repeal of the former collection law, as far as respects the rate of the ruble
Russia - - - - - i. f. 3. p. 114
- Custom-house officers to pay due regard to the inspection laws of the respective states - - - - - ii. f. 1. p. 113
- So much of a certain act as obliges vessels bound up the Potowmac to deposit manifests at St. Mary's and Yeocomico, suspended,
i. f. 1. p. 113. and ii. f. 1. p. 2
- Additional ports of delivery established in Connecticut - ii. f. 2. p. 2
- The several states formed into districts, and ports and officers established: the collection of the duties imposed by law on goods imported, and the tonnage of vessels - - - - - ii. f. 1. p. 9
- Foreign vessels and their cargoes not to be entered elsewhere than at the ports of entry established by the act, but every such port shall also a port of delivery - - - - - ii. f. 2. p. 115, 116
- Foreign vessels not to unlade but at certain specified ports in the respective states; nor to make entry in any other district, than in the one, which they are admitted to unlade - - - - - ii. f. 2. p. 115, 116
- Vessels from the Cape of Good-Hope, or beyond it, restricted to make entry in certain specified ports in the respective states - - - - - ii. f. 2. p. 116
- But vessels may, notwithstanding, be entered in the district in which they are owned, or from which they sailed on the voyage - - - - - ii. f. 2. p. 116
- Vessels bound to a port of delivery only, in certain specified districts, shall first come to at the port of entry of the proper district, and pay, or procure to be paid, all legal duties and charges - - - - - ii. f. 3. p. 116
- Vessels bound to a port of delivery, in any other than the specified districts, or to the ports of Stonington or Urbanna, may first proceed to their port of delivery, and afterwards make the proper entry,
ii. f. 3. p. 116
- Masters of vessels bound to certain districts shall, under the penalty of one hundred dollars deliver manifests at the respective specified ports, as they pass; which manifests shall be registered and transmitted to the officer with whom the entries are to be made - - - - - ii. f. 4. p. 116
- All custom-house officers, under a penalty of 200 dollars, shall take an oath of office, a certificate of which shall be transmitted to the controller of the treasury - - - - - ii. f. 5. p. 116
- The duties of the custom-house officer: they shall attend in person; their respective ports; keep books and accounts, and submit the same to inspection - - - - - ii. f. 6, 7, 8. p. 119, 120, 121
- No goods to be imported from a foreign port, in vessels owned in whole or in part by citizens inhabiting the United States, unless the master deposit manifests of the cargo on board; what the manifests shall set forth; penalty on importing goods without manifest, and under what circumstances of accident or mistake the penalty shall not be incurred,
ii. f. 9, 10. p. 122, 123
- Masters of vessels of the preceding description, bound to any place within the United States, shall, under a penalty not exceeding 500 dollars, on their arrival within four leagues of the coast, produce the manifest to any officer of the customs, who first comes on board for inspection, and

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- also deliver him a copy of it; the original to be returned, under a penalty of 500 dollars, by the officer, with a certificate, and the copy transmitted to the collector of the proper district, ii. f. 11. p. 123, 124.
- Masters of such vessels under a penalty not exceeding 500 dollars shall also, in like manner produce the manifest, and deliver a copy of it, to the custom-house officer, who shall first come on board after their arrival within the limits of any district, in which the cargo, or part of it, is intended to be discharged; the original to be in like manner returned by the officer, with a certificate, under the penalty of 500 dollars; and the copy to be transmitted to the collector of the district, to whom the original shall also be delivered by the respective masters,
 ii. f. 11, 12. p. 123, 124, 125, 126.
- If goods are unladen, before the vessel arrives at the proper place without due authority, the master and mate, or other person in command, shall forfeit respectively and pay 1000 dollars, and the goods unladen shall be forfeited; except in case of unavoidable accident, necessity, or distress: how the exception shall be proved; and penalty on receiving such goods on board of any other vessel or boat,
 ii. f. 13, 14. p. 126, 127.
- Penalty if a ship which has arrived within any district from a foreign port, shall depart or attempt to depart, unless to a more interior district to which she may be bound, or is compelled by force or distress, before report and entry has been made with the collector of some district, and the ship may be arrested and brought back - - - - - ii. f. 15. p. 128.
- Masters of vessels to make report within 24 hours after their arrival; and complete their entry within 48 hours; forms of doing so; manifests to be delivered upon oath to the collector, at the time of making entry, and declarations made by the master, that no goods, other than those specified, have been unladen since the vessel's departure, and that if he discovers other goods, he will report the same; penalty on the neglect or refusal of the master in the premises - - - - - ii. f. 16. p. 128.
- Commanders of ships of war and packets need not make report and entry,
 ii. f. 17. p. 130.
- After entry, vessels may proceed to a foreign port with goods that were reported to be destined for such port, without paying or securing any duties; the captain giving bond (except in a case of arrival on necessity) that they shall not be landed in the United States, unless due entry is first made and the duties paid or secured - - - - - ii. f. 18. p. 130.
- The duties on goods are to be paid or secured in those districts only in which the goods are landed - - - - - ii. f. 19. p. 131.
- The proper collector shall grant to the masters of vessels about to sail for another district, a copy of their reports, and a certificate of the goods that appear to have been landed within his district, taking a bond for the due entry of the residue; the master of such vessels to make entry and produce their certificates in 24 hours after their arrival within the intended district; penalty on masters for neglect or refusal in the premises, 500 dollars - - - - - ii. f. 20. p. 132.
- Owners and consignees, or their agents, shall upon oath make entry respectively of their goods, within 15 days after the report of the vessel's arrival;

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- the forms of making such entry ; and provision in case where the particulars of the goods are not known - - - - - ii. f. 21. p. 133.
- Sea stores, how to be exempted from duties ; if the quantity is excessive, how the duty shall be ascertained ; and penalty on landing articles reported as sea stores - - - - - ii. f. 22. p. 134.
- Entry of clothes, books, household furniture, tools or implements of trade, how to be made in order to exempt them from duty ; and a copy of the entry to be transmitted to the Secretary of the Treasury, ii. f. 23. p. 135.
- Duties heretofore paid on goods, wares and merchandize of the United States, exported to a foreign country, and brought back, to be refunded ; and no such duty shall be hereafter demanded ; how articles of this description shall be entered in order to be entitled to the exemption, - - - - - ii. f. 23, 24. p. 136, 137.
- Oaths to be administered at the custom-house, by whom, and in what form - - - - - ii. f. 25. p. 138.
- Estimates of duties on goods entered by consignees or owners, or their agents, how to be made and paid or secured - - - - - ii. f. 25. p. 138.
- Goods not to be landed but in open day, except by special licence, nor without a permit ; penalty on transgressing - - - - - ii. f. 26. p. 139.
- Penalty on removing goods, wares or merchandize before they are weighed or gauged, when that is necessary to ascertain the duty, ii. f. 27. p. 140.
- Goods entered without a specification of the particulars, shall be stored by the collector, till the amount of the duties can be ascertained ; and how mistakes in estimating duties shall be rectified - - - - - ii. f. 28. p. 140.
- Inspectors to be put on board of vessels ; their duties ; their powers and their compensation ; by whom to be paid - - - - - ii. f. 29. p. 140.
- Custom-house officers, and the officers of the revenue cutters, may board vessels in any part of the United States, or within four leagues, if bound to the United States, to demand the manifests and make the search required by law ; their privileges, duties and powers while on board ; penalty on masters carrying off separate packages, or breaking the seals affixed by the officers - - - - - ii. f. 30. p. 141, 142.
- Mode of proceeding when the delivery of a ship's cargo is complete, and how the variance or agreement of the delivery with the entry shall be certified - - - - - ii. f. 31. p. 143.
- Goods remaining on board 15 days (except in the case of vessels laden with salt or coal) after the time for reporting the vessel (other than those reported for a foreign port) shall be delivered by the inspector to the collector, who shall keep them for 9 months ; proceedings if they are not claimed within that period ; and compensation of inspectors by whom to be paid, if the delivery of the cargo exceeds 15 days, - - - - - ii. f. 32. p. 143, 144.
- Penalty on the master, where packages reported are missing, or where the goods on board otherwise disagree with his report ; under what circumstances the penalty shall not be inflicted - - - - - ii. f. 33. p. 144.
- Allowances for drafts and tare of articles, and for leakage of liquors, subject to duty, to what amount, and how in certain cases to be estimated, - - - - - ii. f. 34, 35. p. 145, 146.
- Goods damaged upon a voyage, or not accompanied with an invoice, may be appraised, and the duties estimated agreeably to the appraisement ;

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- how the appraisers shall be appointed, and how certify their proceedings: but if owners choole to wait for an invoice, the collector shall keep the goods - - - ii. f. 36. p. 146.
- Vessels compelled by distress to put into any port of the United States, not being destined for the same, upon protest being made within 24 hours, and a report made to the collector within 48 hours, may obtain a permit to unload, if it be certified to be necessary by the wardens of the port, or by 2 merchants; the goods unladed to be stored by the collector, who may licente the sale of such part as is perishable, or wanted to defray expences, the duties thereon being paid - - - ii. f. 37. p. 147.
- The ad valorem rates of duties at the place of importation, how to be estimated - - - ii. f. 38. p. 148.
- The rates of foreign coins and currencies established, ii. f. 39. p. 148.
- All duties on importations shall be paid or secured before a permit is granted; when the payments shall be made, or how secured to be made; and no person whose bond is due and unsatisfied, shall be allowed a future credit for duties, until such bond is paid, - - - ii. f. 40. p. 148, 149.
- Teas imported from China; particular regulations respecting the payment, or securing the payment, of the duties thereon - - - ii. f. 41. p. 150.
- Duties on tonnage to be paid within 15 days after the vessel is reported, before clearance, and the register to be left till clearance, with the collector - - - ii. f. 42. p. 150.
- The rule for ascertaining the tonnage of vessels prescribed, - - - ii. f. 43. p. 151.
- Bonds for duties, how to be prosecuted - - - ii. f. 44. p. 151.
- Goods entered, and not truly invoiced, according to the actual cost at the place of exportation, with design to evade the duties, shall be forfeited. Proceedings in all instances where the collector suspects that to be the case - - - ii. f. 45. p. 152.
- Custom-house officers, after entry may, on suspicion of fraud, open and examine packages: proceedings in such cases - - - ii. f. 46. p. 152.
- Custom-house officers may enter and search vessels in which dutiable goods are suspected to be concealed; or, upon oath, may obtain a warrant for searching suspected places on shore; and such goods, when found, shall be forfeited - - - ii. f. 47. p. 153.
- All seizures shall be kept by the collector, till it is ascertained whether they are forfeited or not: and persons concealing or buying goods knowing them to be liable to seizure, shall forfeit double the value, - - - ii. f. 48. p. 154.
- Custom-house officers shall make seizures as well without as within their respective districts: if sued they may plead the general issue, and give the act in evidence; on a claim of property the *onus probandi* shall lie in the claimants; penalty on resisting or impeding custom-house officers or their deputies - - - ii. f. 49, 50. p. 154.
- The respective custom-house officers, shall, within 3 months after they enter on their respective duties, give bonds, in specified sums, for the true and faithful discharge of the duties of their respective offices: the bonds to be filed in the office of the comptroller - - - ii. f. 51. p. 155.

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- The fees and per centage allowed to the collectors, naval-officers, surveyors, inspectors and other officers of the customs, ascertained; to whom to be paid, or how and when to be accounted for, ii. f. 52. p. 156.
- Allowance of $\frac{3}{4}$ of 1 per cent. on the amount of duties to be made to the collectors of New-York and Philadelphia; and of 1 per cent to the collector of each of the other districts - - - ii. f. 52. p. 158.
- Additional allowances to be made to certain custom-house officers, of specified districts - - - - - ii. f. 53. p. 158.
- The custom-house officers, under a penalty of 100 dollars, shall set up a table of fees and duties in their offices, and give receipts for fees; and if they demand or receive greater fees than are allowed by law, they shall forfeit 200 dollars for each offence - - - ii. f. 54. p. 159.
- Duties and fees shall be payable in gold and silver, at the rates specified, - - - - - ii. f. 55. p. 159.
- Drawbacks only payable by the collector, at whose office the goods were entered, retaining 1 per cent.; and the allowance on dried and pickled fish, of the fisheries of the United States, and on salted provisions of the United States, shall be paid by the collector of the district from which the same are exported, without deduction - - - ii. f. 56. p. 160.
- Mode of proceeding in order to be entitled to the drawback, or allowance made by law - - - - - ii. f. 57. p. 160.
- Drawbacks or allowances not to be paid until at least six months after the exportation of the goods; how such exportation shall be proved, - - - - - ii. f. 57. p. 162.
- Drawbacks not to be allowed unless the duties amount to 20 dollars at least; nor unless the goods are exported in the same packages, and from the same port into which they were originally imported; nor shall allowances be made on pickled fish and salted provisions, unless the same amounts at least to 3 dollars on one entry - - - ii. f. 57, 58. p. 162.
- Penalty on landing goods entered for exportation; the powers of the custom-house officers, the proceedings on seizures, and the fees for measuring, weighing or gauging, to be the same as in the cases of importation - - - - - ii. f. 59. p. 162.
- Collectors may allow further credit for monies on a bond given to secure the duties, where the goods are entered for re-exportation, but the bond becomes due before the drawback is payable - - - ii. f. 60. p. 163.
- The President may cause ten revenue cutters to be built, for the protection of the revenue; the expence thereof limited, and how to be defrayed - - - - - ii. f. 61. p. 163.
- The revenue cutters; how to be manned, and the wages and subsistence of the officers and mariners, how to be paid and supplied, - - - - - ii. f. 62. p. 164.
- The officers of the cutters shall be appointed by the president, and shall be deemed officers of the customs: their power and duty, - - - - - ii. f. 63. p. 164.
- The collectors, with the approbation of the secretary of the treasury, may employ boats, for the use of the officers in boarding vessels, and detecting frauds - - - - - ii. f. 64. p. 165.
- Penalty on an officer's receiving a bribe, and on those who offer it, - - - - - ii. f. 65. p. 165.

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- Penalty on conviction of perjury at the custom-house: how to be punished - - - - - ii. f. 65. p. 165.
- Penalties incurred under the revenue law: how to be sued for, where the fact shall be tried, the duty of the collector to institute the suits, and to make distribution of the sums recovered - - - ii. f. 66. p. 165, 166.
- Mode of proceeding to libel ships or merchandize, that are seized and forfeited; in case a claim is made; when the prosecutor shall not pay costs, or be liable to suit, though the judgment's for the prosecutor; and suits under the act must be commenced within 3 years next after the penalty or forfeiture was incurred - - - ii. f. 66. p. 167. 168.
- How vessels or goods condemned, shall be sold, and in what manner penalties, fines and forfeitures, shall be appropriated and distributed, - - - ii. f. 67, 68. p. 168.
- Articles of foreign growth or manufacture, subject to duties, shall only be imported by sea, shall not be brought in vessels of less than 30 tons burthen (except in the district of Louisville) and shall not be landed at any other place than the act directs, under penalty of forfeiture, - - - ii. f. 69. p. 169.
- All articles brought into the United States contrary to law, shall be forfeited, with the carriages, oxen and horses conveying the same; except household furniture and clothing in the case of emigrants, - - - ii. f. 69. p. 169.
- All acts which the collector can do, may be done by the person authorized to act in his stead - - - - - ii. f. 70. p. 169.
- Where oaths are required, affirmations may be taken at the custom-house. - - - ii. f. 71. p. 169.
- Vessels bound to a foreign port, shall, under a penalty of 200 dollars, deliver manifests of their cargoes on oath, to the collector of the port from which they depart, who shall thereupon grant a clearance, - - - ii. f. 72. p. 170.
- The former collection law repealed - - - - - ii. f. 73. p. 170.
- The repeal of that part of the collection law which rated the ruble of Russia at 100 cents, operates in respect to duties previously accrued, - - - ii. f. 74. p. 171.
- The duties imposed on goods, wares and merchandize imported, by the impost law, passed the 4th July, 1789, to cease on the 1st of December, 1790, and others imposed in their stead - - - ii. f. 1. p. 176.
- Specific duties imposed on Madeira, Sherry and other wines; on distilled spirits, according to the different degrees of proof; on molasses; on beer, ale and porter in casks, or in bottles; on teas from China or India, in vessels of the United States; on teas from Europe in vessels of the United States; on teas from any other place, or in any other vessels; on coffee and cocoa; on loaf sugar, brown sugar, and other sugars; on tallow, wax or spermaceti candles; on cheese and soap; on pepper and pimento; on manufactured tobacco and snuff; on indigo and cotton; on nails and spikes; on bar and other lead; on steel unwrought; on hemp, cables, tarred cordage, untarred cordage, yarn, twine, and packthread; on salt; on malt; on coal; on boots, shoes, slippers and goloshoes of leather, silk or stuff; and on wool and cotton cards; on playing cards, - - - ii. f. 1. p. 176, 177.

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- A duty of $12\frac{1}{2}$ per cent. ad val. imposed on all China ware; looking-glasses, window and other glass, and all manufactures of glass, black quart bottles excepted - - - ii. f. 1. p. 178.
- A duty of 10 per cent. ad val. imposed on marble, slate and other stones, bricks, tiles, mortar, and other utensils of marble or slate, and generally all stone and earthen ware, blank books, writing paper, and wrapping paper, paper hangings, pasteboards, parchment and vellum, pictures and prints, painters colour, including lampblack, except those commonly used in dying, gold, silver and plated ware, gold and silver lace, jewellery and paste work, clocks and watches, shoe and knee buckles, and all grocery except the enumerated articles - - - ii. f. 1. p. 178.
- A duty of $7\frac{1}{2}$ per cent. ad val. imposed on cabinet wares, buttons, saddles, gloves of leather, hats of beaver, felt, wool, or a mixture, millinery ready made, castings of iron, and slit and rolled iron, leather tanned or tawed, and all manufactures of which leather is the article of chief value, except such as are otherwise rated, canes, walking sticks and whips; clothing ready made, brushes, anchors, all wares of tin, pewter or copper, all or any of them, medicinal drugs, except those used in dying carpets and carpeting, all velvets, velverets, fattins and other wrought silks, cambricks, muslins, muslinets, lawns, laces, gauzes, chintzes and coloured calicoes and nankeens - - - ii. f. 1. p. 178, 179.
- A duty of $12\frac{1}{2}$ per cent. ad val. imposed on all goods, wares and merchandize imported directly from China or India in vessels of the United States, teas excepted - - - ii. f. 1. p. 179.
- A duty of $15\frac{1}{2}$ per cent. ad val. imposed on all coaches, chariots, phaetons, chaises, chairs, solos, or other carriages, or parts of carriages, - - - ii. f. 1. p. 179.
- A duty of 5 per cent. ad val. imposed upon all other goods, wares and merchandize, not otherwise rated; except bullion, tin in pigs, tin plates, old pewter, brass, teutenague, iron and brass wire, copper in plates, salt-petre, plaister of Paris, wool, dying woods, and dying drugs, raw hides and skins, undressed furs of every kind, sea-stores, the cloaths, books and household furniture, and implements of trade of emigrants, philosophical apparatus for a seminary of learning, all goods intended to be re-exported to a foreign place, in the same vessel that imports them, and generally all articles of the growth, produce or manufacture of the United States - - - ii. f. 1. p. 179.
- An additional duty of 10 per cent. to be made to the several rates of duties in respect to goods imported in foreign vessels, except where an additional duty is specifically laid on such goods, - - - ii. f. 2. p. 179.
- A drawback to be allowed of all, except 1 per cent. where goods are re-exported to a foreign place, within 12 months - - - ii. f. 3. p. 180.
- A bounty, at a certain rate, to be allowed in lieu of drawback for salt, on dried and pickled fish, of the fisheries of the United States, and other provisions salted within the United States - - - ii. f. 4. p. 180.
- Where duties are imposed or drawbacks allowed, upon specific quantities of goods; the same shall apply proportionally to a quantity more or less, - - - ii. f. 5. p. 180.
- Duties that accrued between the commencement of the impost law, and the time of the respective collectors entering on their duty, remitted, - - - ii. f. 6. p. 180.

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- The duties imposed to continue till the debts, for which they are pledged, shall be discharged; but Congress may substitute others of equal value, ii. f. 7. p. 181.
- The collection law extended to the duties laid in the act for making further provision for the public debt - iii. f. 1. p. 3.
- Vessels prevented by ice from getting to their ports of delivery, report and entry may be made, and a permit granted to unload in the districts where they lie, subject to the same regulations as if they had arrived at their ports of destination - - - iii. f. 1. p. 4.
- The duty of one cent per pound on bar and other lead, to extend to all imported manufactures wholly or chiefly made of lead - iii. f. 1. p. 28.
- The duty of $7\frac{1}{2}$ per cent. ad val. laid on chintzes and coloured calicoes, to extend to all imported printed, stained and coloured goods, or manufactures of cotton or of linen, or of both - - - iii. f. 2. p. 28.
- Importer of teas may give bond for payment of the duties in two years, without surety, if the teas are deposited in a store-house, to be agreed upon by him and the inspector, who shall attend to deliver the teas at reasonable times; but no delivery to be without permit from the inspector; and to obtain a permit, the duties must be paid, or bond given with sureties to pay at certain periods, not to exceed two years from the time of deposit, iii. f. 1. p. 77, 78.
- Duties on teas deposited, not paid or secured within two years, the collector shall sell as much as is necessary to pay the duties and storage, iii. f. 2. p. 79.
- Bonds for monies or duties to be paid or performed, how to be taken; and in the case of teas, to be delivered to the proper collector, iii. f. 3. p. 79.
- Inspector's permit for the delivery of teas, shall go in satisfaction of the importer's original bond. Form of the permit - - - iii. f. 3. p. 79.
- Teas imported after the 1st of April, 1791, how to be landed; inspectors shall make entries of the collector's permits to land, and grant certificates of the same to the respective importers - - - iii. f. 4. p. 80.
- Duties on all other wines, as well as on Madeira, secured by bond, shall be payable in 12 months - - - - - iii. f. 5. p. 81.
- See *Tonnage. Registry. Collector. Naval-Officer. Surveyor.*

COURTS. See *Judiciary.*

CUTTERS. See *Customs.*

D.

DEBT. See *Public Debt.*

DELAWARE.

The State of Delaware formed into a district for the collection of duties and tonnage; ports of entry and delivery, and proper officers, established - - - - - ii. f. 1. p. 106.

DENMARK. See *Rix-Dollar. Customs.*

DEPUTY-COLLECTOR. See *Collector. Customs.*

DIPLOMATIC CORPS. See *Ambassador.*

DISSECTION. See *Convicts.*

DISTILLED SPIRITS. See *Excise.*

DISTILLERIES. See *Excise.*

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DISTRICT COURT. See *Judiciary*.

DOMESTIC CREDITORS. See *Public Debt*.

DONATION LANDS.

The act of the 28th August, 1788, as far as respects locations of lands to be reserved for donations to the ancient settlers in the Illinois, repealed; and the Governor of the Western Territory directed to lay the same out, agreeably to the act of the 20th June, 1788 - iii. f. 8. p. 84: See *Western Territory*.

DRAWBACK. See *Customs*.

DUTIES. See *Customs*.

E.

ENROLLMENT. See *Registry*.

ENUMERATION.

- The marshalls to take the number of inhabitants in their respective districts, making certain discriminations - - - ii. f. 1. p. 7.
- To employ assistants in particular divisions - - - ii. f. 1. p. 7.
- Form of the oath to be taken by the marshalls and assistants ii. f. 1. p. 8.
- Time of commencing and of closing the enumeration - ii. f. 1. p. 8.
- Returns, how to be made by the assistants to the marshalls, and penalty on making false ones - - - - - ii. f. 2. p. 9.
- Marshalls to file the returns with the clerks of the district, and transmit the aggregate amount to the President of the United States ii. f. 3. p. 9.
- Penalty on the marshalls' neglect of duty - - - - - ii. f. 3. p. 9.
- Judges of the districts to give the Enumeration Act in charge to the grand juries, and cause the returns of the assistants to be laid before them, - - - - - ii. f. 3. p. 10.
- Compensation to marshalls and assistants - - - - - ii. f. 4. p. 10.
- Rule for ascertaining the persons to be returned, and the mode of returning them - - - - - ii. f. 5. p. 11.
- Persons to give account of their families to the assistants, under a penalty of forfeiting 20 dollars - - - - - ii. f. 6. p. 11.
- Assistants to set up schedules within their divisions before they make their returns; reward for so doing; and penalty for neglecting it f. 7. p. 12.

E X C I S E.

- The duties laid on distilled spirits by a former act, to cease, and the following duties imposed on all distilled spirits imported from abroad—to wit: If 10 per cent. below proof, 20 cents; if under 5 and not more than ten per cent. below proof, 21 cents, if proof, and not more than 5 per cent. below proof, 22 cents; if above proof, but not exceeding 20 per cent. 25 cents; if more than 20, and not more than 40 per cent. above proof, 30 cents; and if more than 40 per cent. above proof, 40 cents per gallon, - - - - - iii. f. 1. p. 29, 30.
- The duties imposed by this act to be collected in the same manner as the duties formerly imposed; the collection law concerning which declared to be in force accordingly - - - - - iii. f. 2. p. 30.
- Duties not exceeding 50 dollars to be paid immediately; if above 50 and not exceeding 500 dollars, may be paid immediately, or secured by bond to

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- be paid in 4 months ; or if above 500 to be paid in 6 months ; the bonds to be accompanied with sureties, or a deposit of a sufficient amount in spirits ; how the deposit shall be kept, at whose expence, and how to be sold and disposed of on failure of payment at the time mentioned in the bond - - - - - iii. f. 3. p. 30, 31.
- For collecting the excise, the United States divided into 14 districts, each consisting of one state, but subject to alteration by the President ; how to be altered ; the districts to be subdivided into surveys of inspection, and such subdivision to be altered at the discretion of the President ; who, with the advice and consent of the Senate, is authorized to appoint a surveyor to each district, and inspectors to each survey ; the latter under the direction of the former ; officers of the customs may be appointed inspectors in surveys ; the President may unite the offices of supervisor and inspector - - - - - iii. f. 4. p. 31, 32.
- The President may appoint inspectors of surveys, during the recess of the Senate ; but commissions so granted shall expire at the end of the next session - - - - - iii. f. 4. p. 31, 32.
- The duty of supervisors and inspectors ; to keep accounts and records ; submit those to the proper officer ; to pay over monies received ; to settle quarterly ; to take the oath of office prescribed in the act, and transmit a certificate thereof within 3 months to the comptroller of the treasury, under a penalty of 200 dollars, (See *Post.*) - - - - - iii. f. 5, 6. p. 32, 33.
- The supervisor of each district to establish a competent number of offices, fixing on the front of each house the words "*Office of Inspection ;*" and 200 dollars penalty incurred if the said words are fixed on any other house - - - - - iii. f. 7. p. 33.
- Vessels having on board distilled spirits brought from a foreign place, to make report to one of the inspectors within 48 hours after her arrival in any port, whether it is the first port of arrival or not ; form of the report ; and 500 dollars penalty on omitting to make it - - - - - iii. f. 8. p. 34.
- Collectors with whom entries of spirits have been made, shall certify on one of the manifests, and transmit the same to the officer of inspection, at the port where the delivery of the spirits is to commence ; for that purpose, persons making entry shall deliver two manifests to the collector, and declare where the delivery is to commence - - - - - iii. f. 9. p. 34.
- Permits granted by collectors for landing spirits, shall, under a penalty of 500 dollars, be produced to the officer of inspection, previous to the landing, and he shall minute the same in his book, endorse on the permit "*Inspected,*" the time when, and his own name, and return it, - - - - - iii. f. 9. p. 35.
- Vessels intending to proceed from one port in the United States to another, with the whole or a part of the spirits on board, shall obtain a certificate of the quantity reported as entered, and of so much as appears to have been landed, from the officer of inspection at the proper port ; which certificate shall be delivered to the officer of inspection at the intended port, within 24 hours after arrival there, under a penalty of 500 dollars, and forfeiture of the spirits - - - - - iii. f. 10. p. 35, 36.
- Imported spirits to be landed under the inspection of the proper officers of inspection, on pain of forfeiture ; such officers to attend at reasonable

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- times; but this clause shall not exclude the inspection by the officers of the customs - - - - - iii. f. 11. p. 36.
- Officers of inspection, after the landing and gauging of imported spirits, shall brand or mark the casks or vessels in which the spirits shall be contained, with progressive numbers, the name of the ship, the proof and quantity of the spirits, and in such other way as the supervisors may direct; they shall keep a book of entries; what entries shall be made therein; and if the acting officer is not the chief inspector within the survey, he shall transmit a transcript of each entry to the chief officer, who shall keep a like book for recording the said transcript - - - - - iii. f. 12. p. 36.
- The chief officer of inspection shall give a certificate to the importer, or his agent, specifying the quantity of spirits landed, the name of the proprietor, &c. of the vessel, and of the marks of each cask or case, and also a like certificate for each cask or case, which shall always accompany the same; entries to be made of the spirits for which such certificates are granted; and under a penalty of 50 dollars for each cask or case where it is not done; the proper certificate shall be delivered upon the sale of any of the said spirits to the purchaser thereof - - - - - iii. f. 13. p. 37.
- After the 30th June, 1791, the following duties shall be paid upon all spirits distilled within the United States, wholly or in part from molasses, sugar, or other foreign materials—to wit: If more than 10 per cent. below proof, 11 cents; if under 5 and not more than 10 per cent. below proof, 12 cents; if proof and not more than 5 per cent. below proof, 13 cents; if above proof and not exceeding 20 per cent. 15 cents; if more than 20 and not more than 40 per cent. above proof, 20 cents; and if more than 40 per cent. above proof, 30 cents per gallon - - - - - iii. f. 14. p. 38.
- And after the same time the following duties shall be paid upon all spirits distilled within the United States, from any article of the growth or produce of the United States, in any city, town or village—to wit: If more than 10 per cent. below proof, 9 cents; if under 5 and not more than 10 per cent. below proof, 10 cents; if proof and not more than 5 per cent. below proof, 11 cents; if above proof but not exceeding 20 per cent. 13 cents; if more than 20 and not more than 40 per cent. above proof, 17 cents; and if more than 40 per cent. above proof, 25 cents per gallon - - - - - iii. f. 15. p. 38.
- The duties on spirits distilled within the United States to be collected under the management of the supervisors of the revenue - - - - - iii. f. 16. p. 38.
- Duties on spirits distilled within the United States, to be paid or secured before the spirits are removed from the distilleries; if paid before removal, an abatement to be made at the rate of 2 cents for every 10 gallons; if secured to be paid, bond to be given quarter-yearly, with one or more sureties, in such sum as the officer shall direct, with condition to pay the duties upon all such of the spirits as shall be removed within 3 months next ensuing the date of the bond, at the expiration of 9 months from the said date - - - - - iii. f. 17. p. 39.
- The supervisor to appoint officers to have the charge and survey of distilleries, who shall attend at all reasonable times - - - - - iii. f. 18. p. 40.
- The casks to be marked, and how, before the spirits are removed from the distilleries; and the proper officer, on the duties being paid, or secured, shall grant a certificate for each cask, always to accompany the same:

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- he shall also keep a book of entries; what entries shall be made therein - - - - - iii. f. 19. p. 40.
- Spirits removed from a distillery without being marked, or without the certificate aforesaid, together with the casks, the carriages, &c. boats, &c. shall be forfeited; and the manager of the distillery shall also forfeit the full value of the spirits so removed - - - - - iii. f. 19. p. 40.
- Spirits only to be removed from a distillery between sun-rising and sun-setting, except by consent of the proper officer, on pain of forfeiting the spirits, or the full value thereof: to be recovered from the acting owner, or manager, of the distillery - - - - - iii. f. 20. p. 41.
- On every still, employed in distilling spirits from materials of domestic growth or production, in any other place than a city, town, or village, there shall be paid a duty of 60 cents for every gallon, English wine measure, of the capacity, or content, of each still, including the head; and the evidence of their employment shall be their being erected in stone, &c. whereby they are in a condition to be worked - - - - - iii. f. 21, 22. p. 41.
- The duty on stills to be collected under the management of the supervisor, who shall appoint proper officers for the survey and admeasurement thereof, and the collection thereupon. The duties payable half-yearly; of whom, where, and when to be demanded; and how to be recovered in case of neglect or refusal to pay them - - - - - iii. f. 23. p. 41.
- The proprietors of stills, if they think they are aggrieved by the above rates, may keep a book of the quantities of spirits which they distill, and having qualified to the truth thereof, the proper officer shall estimate the duties upon the respective stills according to the quantities so stated, at the rate of 9 cents per gallon - - - - - iii. f. 24. p. 42.
- Distillers, whether from foreign or domestic materials, shall, on the front of their distilleries, and on the doors of their stores, in which the liquors are kept, mark these words "DISTILLER OF SPIRITS;" and shall enter such places, within three days before they distill therein, at the nearest office of inspection, under a penalty of 100 dollars, and forfeiture of the spirits so kept, or the value - - - - - iii. f. 25. p. 43.
- Distillers on the 1st of July 1791, when they shall make entry, in what manner, and under what penalty, in case of failure, iii. f. 25. p. 44.
- Supervisors, or officers of inspection, to visit and inspect the houses and buildings entered by distillers; to take an account of the spirits therein contained; to mark the casks, &c. with progressive numbers, with the name of the distiller, or keeper, with the quantities, kinds and proofs of spirits, and with these words "OLD STOCK." Books of entries to be likewise kept by the inspector of each survey; what entries shall be made therein; certificates to be given to each distiller of the quantity, &c. of old stock, and a separate certificate for each cask, &c. to accompany the same; the latter certificate to be delivered to purchasers of the respective casks, &c. under the penalty of 50 dollars for each, - - - - - iii. f. 26. p. 44, 45.
- Every importer of distilled spirits, under penalty of forfeiting the same and the full value thereof, to make due entry of the quantity on hand on the 1st of July; in what manner the inspector shall mark the casks, &c. certificates to be granted of the general quantity, and for each cask, those with the latter to pass upon sales under penalty of forfeiting 50 dollars, iii. f. 27. p. 45.

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- Distilled spirits not branded, and accompanied with a certificate, shall be presumed liable to forfeiture, and may be seized; on what grounds the forfeiture may be avoided - - - - - iii. f. 28. p. 46.
- Officers of inspection may on request enter houses, store-houses, &c. that have been entered, to take an account of the quantity, kinds and proof of the spirits therein contained; and to take samples, paying the usual price, iii. f. 29. p. 46.
- Any person defacing the brand marks shall forfeit and pay for each offence 100 dollars, - - - - - iii. f. 30. p. 47.
- Casks, &c. marked "*Old Stock*," shall not be used to contain any other liquor than what was therein contained at the time of marking, under penalty of 100 dols. for every cask, &c. nor shall distilled spirits be kept in such casks longer than one year from the last of June, 1791, on pain of forfeiting the spirits: this section not to extend to vessels of 200 gallons capacity and upwards, which are not intended to be removed, iii. f. 31. p. 47.
- Spirits concealed to defraud the revenue shall be forfeited; and any judge or justice of the peace, upon reasonable cause of suspicion shewn upon oath or affirmation, may grant a warrant to authorize any officer of inspection, by day, in the presence of a peace officer, to enter suspected places, and seize the spirits concealed as forfeited - - - - - iii. f. 32. p. 47.
- No spirituous liquors, except gin or cordials, in cases, jugs or bottles, to be imported in casks of less than 50 gallons capacity, on pain of forfeiting the spirits, and the ship in which they are brought; but this not to extend to spirits for the use of the seamen on board, at the rate of 4 gallons for each - - - - - iii. f. 33. p. 48.
- Wherever the spirits are forfeited, the cask or vessel containing them shall also be forfeited, - - - - - iii. f. 34. p. 48.
- Distillers of spirits on which the duty is charged by the gallon, shall keep an account of what they sell, send out or distill; and, under penalty of 100 dols. shall keep books of entries; what entries shall be made therein; the books to be prepared by the supervisors, &c. and delivered upon demand to the distillers, who shall return them at the end of each year, or when filled up, and verify the entries upon oath or affirmation; new books to be delivered on the return of the old; and the books to be open to the proper officers of inspection, who may take transcripts thereof, iii. f. 35. p. 48, 49.
- The penalties for distillers neglecting to report their intention to distil spirits, to mark their houses, &c. or to keep the proper books of entries, shall not extend to persons who employ one still only, not exceeding 50 gallons capacity, including the still-head - - - - - iii. f. 36. p. 49.
- Proof of spirits, how to be distinguished; and the Secretary of the Treasury to supply the officers with the proper instruments to ascertain the same - - - - - iii. ch. 15. f. 37. p. 50.
- Proceedings in actions against any supervisor or officer of inspection for seizures; what shall amount to a justification; trials in such cases to be by jury; how damages in making a seizure shall be ascertained and paid, where the verdict is for the officer; in what cases damages shall not be allowed; and when the same shall be paid by the officer, iii. f. 38. p. 50.
- Officers convicted of extortion or oppression in the execution of their office, how punished - - - - - iii. f. 39. p. 51.

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- No fee to be taken for any certificate to be granted pursuant to the excise law, iii. f. 40. p. 51.
- Officers who neglect their duties, shall pay damages to the persons thereby injured, to be recovered in an action founded upon this act, iii. f. 41. p. 51.
- Actions for any thing done under the excise law, to be brought within 3 months after the thing done; where to be brought; and proceedings therein iii. f. 42. p. 52.
- Penalties, forfeitures or seizures, how to be appropriated; and if incurred without wilful neglect or design to defraud, how to be mitigated or restored iii. f. 43, 44. p. 52, 53.
- Counterfeiting or forging certificates issued by the officers of inspection; knowingly receiving or using such, and altering certificates, how punished iii. f. 45. p. 53, 54.
- False swearing in cases under the excise law, to be punished as wilful and corrupt perjury iii. f. 46. p. 54.
- Penalty for offering bribes to excise officers; and for obstructing them in the discharge of their duty iii. f. 47, 48. p. 54.
- Penalty on officers who shall enter into any collusion for making false marks, &c. or embezzle the public money iii. f. 49. p. 55.
- Excise officers may administer oaths directed by the law; where there are more than one supervisor for one district, a majority may act; but a majority not to be deemed necessary in cases where the authority is or ought to be several iii. f. 50. p. 55.
- Exporters of spirits, on which the duties have been paid or secured, shall have an allowance, by way of drawback, equal to the duties thereon, deducting $\frac{1}{2}$ cent per gallon; and adding to the allowance upon spirits distilled in the United States from molasses 3 cents per gallon. The allowance not to be made unless the regulations prescribed by the Act are observed; and the former provision concerning drawbacks upon spirits imported prior to the 1st of July, not to be thereby altered, iii. f. 51. p. 56.
- Proceedings and proofs necessary to entitle exporters of spirits to a drawback; regulations to be observed by the officers of inspection; the allowance not to be paid till six months after the exportation; and in what case and manner spirits shipped for exportation may be relanded, iii. f. 52, 53, 54. p. 56, 57, 58.
- Spirits shipped for exportation, shall not be unshipped for any purpose whatever within the limits of the United States or four leagues off the coast, nor shall be relanded within the United States, unless the voyage shall not be proceeded upon, or shall be altered, or in case of distress, which shall be made known to the principal officer of the customs, under pain of forfeiting the spirits, ship, &c. iii. f. 55. p. 59.
- No drawback to be allowed, when the spirits shall be exported in any other than a vessel of 30 tons and upwards; how and to whom the same shall be ascertained iii. f. 56. p. 59.
- Exportation-Bonds, when and how they may be discharged; and the proofs to discharge the same to be referred to the Comptroller of the Treasury, iii. f. 57. p. 60.
- The President to make reasonable allowances to the supervisors, inspectors,

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and deputies, to be paid out of the product of the excise duties ; provided the aggregate of such allowances does not exceed 7 per cent. of the whole product of the duties arising from spirits distilled within the United States ; nor the annual amount of 45,000 dollars - iii. f. 58. p. 61.
The commencement of the Act declared ; the product of the duties thereby imposed, appropriated ; distinct accounts to be kept of such duties ; how any surplus thereof may be applied ; and the duties to continue till the objects of their appropriation are accomplished ; but Congress may substitute other duties, or taxes of equal value,
iii. f. 59, 60, 61, 62. p. 61, 62, 63.

EXECUTION. See *Punishment*.

EXPORT. See *Customs. Excise*.

EXECUTORS and ADMINISTRATORS. See *Judiciary*.

EXTORTION. See *Customs. Excise*.

EVIDENCE. See *Records. Judiciary*.

F.

FALSIFYING. See *Forgery. Excise. Records*.

FEES. See *Customs. Excise. &c.*

FELONY.

Misprison of felony committed within the exclusive jurisdiction of the United States defined, and its punishment prescribed - ii. f. 6. p. 31.

See *Piracy. Accessory. Convicts. &c. &c.*

FINES. See *Penalties*.

FOREIGN AFFAIRS.

The Office of Secretary for the department of Foreign Affairs instituted, and the duties of the Secretary defined - i. f. 1. p. 32.

A chief clerk to be appointed by the Secretary - i. f. 2. p. 33.

The Secretary and chief clerk to take an oath or affirmation of office,
i. f. 3. p. 33.

The Secretary shall take charge of all records, &c. in the Office for Foreign Affairs heretofore established - i. f. 4. p. 33.

The Department of Foreign Affairs changed to the Department of State,
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FOREIGN BOOKS. See *Copy-Right*.

FOREIGN COIN. See *Customs. Rix-dollar. Ruble*.

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FORGERY.

Forgery of public securities of the United States, or knowingly uttering such forged securities, how punished - ii. f. 14. p. 34.

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Convention with France respecting consuls and vice-consuls - ii. p. 379.

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FRANKLIN.

The thanks of Congress to be communicated to the National Assembly of France, for the tribute paid by that body to the memory of Benjamin Franklin - - - - - iii. p. 91, 92.

FUGITIVES. See *Limitations*.

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GARRETSON.

A pension allowed to Samuel Garretson - - - - - ii. f. 1. p. 187.

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G E O R G I A.

Georgia formed in districts for the collection of duties and tonnage; ports of entry and delivery, and officers, established - - - - - ii. f. 1. p. 114.

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An allowance of captain's pay made to the Baron de Glaubeck, - - - - - i. f. 1. p. 152.

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Commissioners to be appointed for making the necessary locations for the permanent seat of government; they may purchase or accept grants of land, for the United States, and shall erect buildings for the accommodation of Congress - - - - - ii. f. 2, 3. p. 69.

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Treaty with the Six Nations - - - ii. p. 321.

Treaty with the Wyandot, Delaware, Chippawa and Ottawa Indian nations - - - ii. p. 323.

Treaty with the Cherokees - - - ii. p. 353.

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Treaty of peace and friendship with the Creek nation of Indians, ii. p. 395.

Articles of agreement and confederation with the Delaware nation, ii. p. 401.

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INSPECTION-LAWS. See *Customs. Excise.*

INSPECTORS. See *Customs. Excise.*

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JUDGMENT. See *Courts. Judiciary.*

JUDGES. See *Judiciary.*

J U D I C I A R Y.

Salaries of the chief justice and the other justices of the supreme court; of the district judges; and of the attorney-general; the amount of each; to commence from their respective appointments; and to be paid quarterly at the treasury - - - i. f. 1. p. 118, 119.

District Court.

The United States divided into 13 districts, and a district court consisting of one judge, residing in the district, and a district court established in each; to be held 4 times in every year; the times and places prescribed, i. f. 2, 3. p. 121, 122.

The district judge may hold special courts at his discretion, at either of the places appointed for holding the stated courts, or at such other place in the district as the nature of the business and his discretion shall direct, i. f. 3. p. 121, 122.

The records of the district court shall be kept at either of the places appointed for holding the same, which the judge may appoint - i. f. 3. p. 122.

The court, in case of the inability of the judge to attend at the commencement of a session, may, by written order to the marshal, be adjourned by the marshal to such day, antecedent to the next stated session, as in the order shall be appointed - - - i. f. 6. p. 124.

In case of the death of the judge, and his vacancy not being supplied, all process, pleadings and proceedings pending before the court, shall be continued till the next stated session after the appointment and acceptance of office by his successor - - - i. f. 6. p. 125.

The court may appoint their clerk (who shall also be clerk of the circuit court) and he shall take the oath of office, and give sureties (approved by the court) to the United States in 2000 dollars for the faithful performance of his duty - - - i. f. 7. p. 125.

District judges to take an oath of office - i. f. 8. p. 126.

This court, exclusively of the courts of the several states, has cognizance—

1. Of all crimes and offences cognizable under the authority of the United States, committed within the district, or upon the high seas; where no other punishment than whipping not exceeding 30 stripes, a fine not exceeding 100 dollars, or imprisonment not exceeding 6 months, is to be inflicted - - - i. f. 9. p. 126.

This court has exclusive original cognizance—

2. Of all civil causes of admiralty and maritime jurisdiction, including all seizures under laws of impost, navigation or trade of the United States, where the seizures are made on waters which are navigable from the sea by vessels of 10 or more tons burthen, within the district as well as upon the high seas; saving to suitors in all cases the right of a common law remedy, where the common law is competent to give it.

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3. Of all seizures on land, or on other waters than those described in pl. 2, made, and of all suits for penalties and forfeitures incurred, under the laws of the United States - i. f. 9. p. 126.

This court has cognizance, concurrent with the courts of the states, or the circuit courts—

4. Of all causes where an alien sues for a tort only, in violation of the law of nations, or a treaty of the United States.

5. Of all suits at common law where the United States sue, and the matter in dispute amounts, exclusive of costs, to the sum or value of 100 dollars - - - i. f. 9. p. 127.

This court has jurisdiction exclusively of the courts of the several states—

6. Of all suits against consuls or vice-consuls, except for offences above the description in pl. 1, - - - i. f. 9. p. 127.

The trials of issues in fact in this court in all causes, except civil causes of admiralty and maritime jurisdiction, shall be by jury - i. f. 9. p. 127.

The district courts in Kentucky and in Maine district to have other jurisdiction; and how appeals or writs of error shall be brought and tried, i. f. 10. p. 127.

No person shall be arrested in one district for trial in another district court i. f. 11. p. 128.

No civil suit shall be brought before this court, against an inhabitant of the United States, by any original process in any other district, than that whereof he is an inhabitant, or in which he shall be found at the time of serving the writ - - - i. f. 11. p. 128.

No district court shall have cognizance of any suit to recover on a promissory note, or other chose in action, in favor of an assignee, unless a suit might have been prosecuted there to recover if no assignment had been made, except in the case of foreign bills of exchange - i. f. 11. p. 128.

This court may grant new trials; administer oaths, &c. punish contempts; and make rules - - - i. f. 17. p. 132.

In what cases the examination of witnesses in this court shall be reduced to writing - - - i. f. 30. p. 139.

Circuit Court.

The United States divided into three circuits, (the districts of Maine and Kentucky excepted) viz. the Eastern, the Middle, and the Southern Circuit, - - - i. f. 4. p. 123.

The Eastern Circuit shall consist of the districts of New Hampshire, Massachusetts, Connecticut, and New York; the Middle Circuit shall consist of the districts of New Jersey, Pennsylvania, Delaware, Maryland, and Virginia; and the Southern Circuit shall consist of the districts of North and South Carolina and Georgia - - - i. f. 4. p. 123.

Two circuit courts are to be held annually in each district of the circuits, consisting of any two justices of the supreme court, and the district judge; any two of whom shall be a quorum: but the district judge shall not vote on appeal or error from his own decision; though he may assign the reasons of his decision - - - i. f. 4. p. 123.

The times and places of holding the sessions of the circuit court prescribed, i. f. 5. p. 123.

The circuit courts have power to hold special sessions for the trial of criminal

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- causes, at any other than the stated times, at their discretion, or the discretion of the supreme court - - - i. f. 5. p. 124.
- The court may be adjourned from day to day, by any of its judges, or if none are present, by the marshall of the district, until a quorum shall be convened, - - - - - i. f. 6. p. 124.
- The clerk of the district court to be the clerk of the circuit court in the districts respectively - - - - - i. f. 7. p. 125.
- This court shall have original cognizance, concurrent with the courts of the several states—
1. Of all suits of a civil nature, at common law or in equity, where the matter in dispute exceeds, exclusive of costs, 500 dollars, and
 - (1.) The United States are plaintiffs or petitioners,
 - (2.) Or an alien is a party,
 - (3.) Or the suit is between a citizen of the state where brought, and a citizen of another state - - - i. f. 11. p. 128.
- This court has exclusive cognizance—
2. Of all crimes and offences cognizable under the authority of the United States, except where the Judiciary Act otherwise provides, or the laws of the United States shall otherwise direct, i. f. 11. p. 128.
- This court has concurrent jurisdiction with the district court—
3. Of the crimes and offences cognizable therein - i. f. 11. p. 128.
- This court has appellate jurisdiction from the district court, i. f. 11. p. 128.
- No person shall be arrested in one district for trial in another, in any civil action before a circuit court - - - i. f. 11. p. 128.
- No civil suit shall be brought before a circuit court against an inhabitant of the United States by any original process in any other district than that whereof he is an inhabitant, or in which he shall be found at the time of serving the writ - - - - - i. f. 11. p. 128.
- The circuit court shall not have cognizance of any suit to recover the contents of any promissory note, or other chose in action, in favor of an assignee, unless a suit might have been prosecuted there to recover if no assignment had been made, except in cases of foreign bills of exchange, i. f. 11. p. 128.
- Causes commenced in a state court, exceeding 500 dollars, exclusive of costs, brought
1. Against an alien; or,
 2. By a citizen of the state against the citizen of another state, may be transferred to the circuit court, if the defendant, at the time of entering his appearance in the state court,
 1. Files a petition for the removal into the next circuit court:
 2. And offers surety for entering in the circuit court, on the first day of its sessions, copies of the process against him, and for his appearing and entering special bail, if special bail was originally requisite:
 Whereupon the court shall accept the security, proceed no farther, and the bail originally taken shall be discharged: and the copies being entered, the circuit court shall proceed as if the cause had been brought there by original process - - - i. f. 12. p. 128, 129.
- Attachments by original process out of a state court, shall be valid upon a removal into the circuit court to answer the final judgment there, in like manner as they would have been by the laws of the state, i. f. 12. p. 128. 129.

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Causes commenced in a state court between citizens, exceeding 500 dollars, in which the title to land is concerned, may be removed by either party before the trial, under the following regulations :

1. That the state (on affidavit if required) that he claims and shall rely on a title under a grant from another state, and produce the original grant, or an exemplification (except where the loss of public records shall put it out of his power), and move that the adverse party inform the court whether he claims under a grant from the state where the suit is pending.
2. If the adverse party does not give such information, he shall not be allowed to plead such grant, or give it in evidence on the trial.
3. If he informs he does claim under such grant, the mover may transfer the cause for trial to the next circuit court to be holden in the district ; but if he is defendant, it must be on the same terms as in other cases.
4. Neither party removing the cause shall be allowed to plead, or give evidence of, any other title than that stated by him on the removal as aforesaid - - - - - i. f. 12. p. 128, 129.

The trials of issues in fact in the circuit court, shall, in all suits, except of equity, and of admiralty and maritime jurisdiction, be by jury,
i. f. 12. p. 128, 129.

This court may grant new trials ; administer oaths ; punish contempts ; and make rules - - - - - i. f. 17. p. 132.

Execution on a judgment in this court may be staid, on motion of either party (at the discretion of the court, and on such security as they may judge proper) for 42 days from the judgment, to give time to file a petition for a new trial - - - - - i. f. 18. p. 132.

If the petition is filed within the 42 days, with the allowance on it of either of the judges (which the judge may either grant or refuse), execution shall be farther staid to the next session of the court,
i. f. 18. p. 132.

If a new trial is granted, the former judgment shall be thereby rendered void - - - - - i. f. 18. p. 132.

The circuit court, in causes in equity and of admiralty and maritime jurisdiction, must cause the facts on which they found their decree, fully to appear on the record, either from the pleadings and decree, or a case stated by the parties, or, if they disagree, by the court, i. f. 19. p. 132.

In an action brought originally in the circuit court, if the plaintiff, or petitioner in equity, other than the United States, recovers less than 500 dollars : or a libellant upon his own appeal less than 300 dollars, he shall not be allowed, but may be adjudged to pay, costs, i. f. 20. p. 133.

In what cases the circuit court may direct depositions to be taken in perpetuum rei memoriam - - - - - i. f. 30. p. 139.

Supreme Court of the United States.

The court to consist of a chief justice and five associate justices, any four of whom may be a quorum ; and all of whom must take an oath of office,
i. f. 1, 8. p. 120, 126.

The associate justices to have precedence according to the date of their commissions ; or when these are of equal date, according to their age,
i. f. 1. p. 120.

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The court meets twice annually, viz. the 1st Monday of February, and the 1st Monday of August, at the seat of government - i. f. 1. p. 120.

The court may be adjourned by any one or more of its justices being present, from day to day, till a quorum be convened - i. f. 6. p. 124.

The court may appoint their clerk, who shall take an oath of office prescribed by the law, and give bond with sufficient sureties (approved by the court) to the United States, in 2000 dollars, faithfully to discharge the duties of his office, &c. - i. f. 7. p. 125.

This court has exclusive jurisdiction—

1. Of all controversies of a civil nature where a state is a party, except between a state and its citizens.

2. And of suits or proceedings against ambassadors or other public ministers, or their domestics or domestic servants, so far as a court of law can have consistently with the law of nations, i. f. 13. p. 130.

This court shall have original, but not exclusive, jurisdiction of all controversies of a civil nature—

1. Between a state and citizens of other states, or aliens.

2. Of all suits brought by ambassadors, or other public ministers, or in which a consul or vice-consul shall be a party - i. f. 13. p. 130.

This court has appellate jurisdiction from—

1. The circuit courts.

2. The courts of the several states, in the cases particularly specified under the article *Appeal*. See *Post*. - i. f. 13. p. 130.

This court has power to issue writs of prohibition to the district courts, when proceeding as courts of admiralty and maritime jurisdiction,

i. f. 13. p. 130.

This court may issue writs of mandamus, in cases warranted by the principles and usage of law, to any courts appointed, or persons holding office under the authority of the United States - i. f. 13. p. 130.

The trials of issues in fact in the supreme court, in all actions at law against citizens of the United States, shall be by jury - i. f. 13. p. 130.

This court may grant new trials; administer oaths, and punish contempts; and make rules - i. f. 17. p. 132.

Abatement.

If there are two, or more, plaintiffs, or defendants, the writ or action shall not abate by the death of one of them; which being suggested on the record, the cause shall proceed - i. f. 31. p. 142.

No writ, process, or judgement, or other proceedings in civil cases, shall abate, be quashed, or be reversed for any defect or want of form, except defects assigned in cases of demurrer, as causes thereof, i. f. 31. p. 142.

Appeal and Writ of Error.

From final decrees in a district court, in causes of admiralty and maritime jurisdiction, where the matter exceeds 500 dollars, exclusive of costs, an appeal lies to the next circuit court in the district; but a special provision as to the district court of Maine - i. f. 21. p. 133.

Final decrees and judgments in civil actions in a district court, where the matter exceeds 50 dollars, exclusive of costs, may be re-examined and reversed, or affirmed, in a circuit court upon a writ of error; the writ to be returned with—

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1. A transcript of the record, and assignment of errors, and prayer for reversal.

2. A citation to the adverse party, signed by the judge of the district court, or a justice of the supreme court, the adverse party having at least 20 days notice - - - i. f. 22. p. 133.

Upon a writ of error of final judgments and decrees in civil actions; and suits in equity in a circuit court, brought there originally, or removed from the state courts, or district courts, where the matter exceeds 2000 dollars, exclusive of costs, may be re-examined and reversed, or affirmed in the supreme court, the citation being signed by a judge of the circuit court, or justice of the supreme court, with 30 days notice to the adverse party, i. f. 22. p. 133.

There shall be no reversal in the circuit court, or supreme court, on a writ of error, for error in ruling any plea in abatement, other than a plea to the jurisdiction of the court, or such plea to a petition in equity, as in nature of a demurrer, or for any error in fact - i. f. 22. p. 133.

Writs of error shall not be brought but within five years after the judgment or decree; or in case of an infant, feme covert, *non comp. ment.* or prisoner, then within 5 years, exclusive of the disability, i. f. 22. p. 133.

Every justice signing a citation on any writ of error, shall take security, that the plaintiff in error prosecute his writ to effect, and answer all damages and costs if he fail - - - i. f. 22. p. 133.

Writ of error only a superseedeas and stay of execution where it is served, by a copy of it being left for the adverse party in the clerk's office, where the record remains, within 10 days, Sundays exclusive, after rendering the judgment, or passing the decree complained of - i. f. 23. p. 134.

Execution shall not issue for 10 days after judgment or decree, where a writ of error may be a superseedeas - - - i. f. 23. p. 134.

Where upon writ of error the supreme court or circuit court shall affirm the judgment or decree, they shall adjudge or decree to the respondent in error, just damages for his delay, and single or double costs at their discretion - - - i. f. 23. p. 134.

When a judgment or decree shall be reversed in a circuit court, that court shall proceed to render such judgment or decree as the district court ought to have done - - - i. f. 24. p. 135.

On reversals in the supreme court they shall proceed to render the same judgment or decree that the court below ought to have done; except where the reversal is in favor of the plaintiff or petitioner in the original suit, and the damages to be assessed or matter to be decreed are uncertain, in which case they shall remand the cause for a final decision, i. f. 24. p. 135.

The supreme court shall not issue execution in causes that are removed before them by writs of error, but shall send a special mandate to the circuit court to award execution thereupon - i. f. 24. p. 135.

Writ of error lies upon a final judgment, or decree, in any suit in the highest court of law or equity of a state, in which a decision in the suit could be had, where is drawn in question,

1. The validity of a treaty, or statute of, or an authority exercised under, the United States, and the decision is against their validity :

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2. The validity of a statute of, or an authority exercised under, any State, on the ground of being repugnant to the constitution, treaties or laws of the United States, and the decision is in favour of such validity :
3. The construction of any clause of the constitution, or of a treaty, or statute of, or commission held under, the United States, and the decision is against the title, right, privilege, or exemption, specially claimed by either party, under such clause, treaty, statute, or commission - - - - - i. f. 25. p. 135.

The citation in such cases to be signed by the chief justice, or judge, or chancellor of the court rendering the judgment or decree, or by a justice of the supreme court of the United States; and the proceedings to be the same as on a writ of error from the judgment of a circuit court; except that, instead of remanding the cause for a final decision, the court may, if it has been once remanded before, proceed to a final decision, and award execution - - - - - i. f. 25. p. 135.

No other error to be assigned, or regarded as ground of reversal, in such last mentioned cases, than what appears on the record, and immediately respects the questions of validity or construction aforesaid, i. f. 25. p. 136.

In what cases of appeal, the testimony of witnesses reduced to writing at the hearing of the cause, may be read - - - - - i. f. 30. p. 139.

Attorney of the District.

An attorney for the United States to be appointed in each district, who shall take an oath of office; and shall prosecute in such district, all delinquents for crimes and offences cognizable under the authority of the United States, and all civil actions in which the United States shall be concerned, except before the supreme court, where that is holden,

i. f. 35. p. 144, 145.

The district attorney to receive a compensation in such fees, for his services, as shall be taxed in the respective courts - - - - - i. f. 35. p. 145.

Attorney-General.

An attorney-general for the United States to be appointed; he shall take an oath of office; he shall prosecute and conduct all suits in the supreme court in which the United States shall be concerned; and he shall give his advice and opinion upon questions of law to the President and the heads of departments - - - - - i. f. 35. p. 144, 145.

The compensation of the attorney-general: see above.

Benefit of Clergy.

Not to be allowed when the punishment is death - - - - - ii. f. 31. p. 41.

Equity.

Suits in equity shall not be sustained in either of the courts of the United States in any case where plain, adequate, and complete remedy may be had at law - - - - - i. f. 16. p. 132.

In suits before any of the courts to recover the forfeiture annexed to any articles of agreement, covenant, bond, or other specialty, where the forfeiture or breach appears by confession, or on demurrer, judgment shall be rendered for the plaintiff to recover so much as is due according to

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equity ; and if the sum is uncertain, on request of either party, it shall be assessed by a jury - - - i. f. 26. p. 136.
See *Appeal. Circuit Court.*

Evidence.

The courts of the United States may, on trial of actions at law, upon motion and due notice, require the parties to produce books or writings in their possession or power, where they might be compelled in chancery,

i. f. 15. p. 131.

If the plaintiff refuses to comply, judgment shall be given as in cases of nonsuit ; and if the defendant refuses, judgment shall be given as by default - - - - - i. f. 15. p. 131.

The mode of proof by oral testimony in open court, shall be the same in all the courts of the United States, as well in trials in equity and of admiralty and maritime jurisdiction, as at common law - i. f. 30. p. 139.

Where a witness lives more than 100 miles from the place of trial, is bound on a voyage, is going out of the United States, or out of the district more than 100 miles, or is ancient or infirm, his deposition may be taken *de bene esse* ; before whom it may be taken ; notice to be given to the adverse party or his attorney ; form to be pursued in giving such notice - - - - - i. f. 30. p. 140.

In admiralty and maritime causes, or other causes of seizure, when no adverse party is named in the libel, and depositions are taken before a claim is put in, like notice shall be given to the person having the agency or possession of the property libelled, if known to the libellant,

ii. f. 30. p. 140.

Proceedings at the time of taking depositions ; the depositions shall be retained by the magistrate till delivered into court ; form of making such delivery - - - - - i. f. 30. p. 140.

Witnesses may be compelled to give their depositions in the same manner as to testify in court, - - - - - i. f. 30. p. 140.

The examination of witnesses in a cause of admiralty and maritime jurisdiction, to be reduced to writing by the clerk, upon a suggestion that, in case of an appeal, the witnesses cannot be produced in the circuit court,

i. f. 30. p. 141.

Depositions not to be read unless the death, absence, or inability of the witness to attend be proved - - - - - i. f. 30. p. 141.

The courts may grant a *dedimus potestatem* to take depositions ; and the circuit court may direct depositions to be taken in *perpetuam rei memoriam*, which relate to matters cognizable in any court of the United States - - - - - i. f. 30. p. 142.

Execution.

In what cases to be paid, and in what manner the stay shall be applied for - - - - - i. f. 18. p. 132.

See *Circuit courts.*

Executor and Administrator.

A party in a suit dying before final judgment, his executor or administrator may prosecute or defend the same, till final judgment, in case the cause of action survives ; the defendant shall answer and the court decide accordingly : mode of proceeding to make the executor or administrator a

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party, and in case he neglects or refuses to appear; if he becomes a party, he shall be entitled to a continuance till the next term, i. f. 31. p. 142.

Habeas Corpus.

Either of the judges of the supreme court, as well as the judges of the district court, may grant writs of habeas corpus, to enquire into the cause of commitment - - - - - i. f. 14. p. 131.

This power extends in no case to prisoners in gaol, unless where they are in custody under or by colour of the authority of the United States; or are committed for trial before some court of the same, or are necessary to be brought into court to testify, - - - - - i. f. 14. p. 131.

Mandamus.

The supreme court may issue writs of mandamus in cases warranted by the principles and usages in law, to any courts appointed, or any officer, under the authority of the United States - - - - - i. f. 13. p. 130, 131.

Prohibition.

The supreme court may issue writs of prohibition to the district courts, when proceeding as courts of admiralty and maritime jurisdiction, - - - - - i. f. 13. p. 130, 131.

All the courts of the United States shall have power to issue writs of *Scire Facias*, *Habeas Corpus*, and all other writs not specially provided for by statute, which may be necessary for the exercise of their respective jurisdictions, and agreeable to the principles and usages of law, i. f. 14. p. 131.

The courts may amend imperfections, defects, and want of form, other than those assigned as cause of demurrer; and may permit a party to amend any defect in the process or pleadings, upon such conditions as they shall prescribe - - - - - i. f. 32. p. 143.

How persons may be arrested, imprisoned, or bailed for any offence against the United States; and how the process and recognizances shall be returned - - - - - i. f. 33. p. 140.

How offenders and witnesses shall be removed from a district, other than that in which the offence is committed, to the district in which the trial is to be had - - - - - i. f. 33. p. 143, 144.

Bail to be admitted in all criminal cases, except where the punishment is death; then it shall only be admitted by a supreme or circuit court, or a justice of the supreme court, or a judge of a district court, exercising their discretion - - - - - i. f. 33. p. 144.

A person committed by a justice of the supreme court, or a judge of the district court, for an offence not punishable with death, bail may be admitted by a judge of the superior court of the state, if no judge of the United States is in the district to take the same - - - - - i. f. 33. p. 144.

The laws of the several states, except where the constitution, treaties, or statutes of the United States shall otherwise provide, shall be regarded as rules of decision in trials at common law in the courts of the United States, in cases where they apply - - - - - i. f. 34. p. 144.

In all the courts of the United States, the parties may act by themselves, or such counsel and attorneys as are admitted to practice - i. f. 35. p. 144.

Processes issuing from the respective courts, how to be tested and by whom the seals of the respective courts shall be provided - i. f. 1, 2. p. 140.

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The forms of writs and of proceedings in equity and in admiralty cases, and fees, regulated	i. f. 2. p. 146.
The time and places of holding circuit courts in the districts of South-Carolina and Georgia, altered	ii. f. 1. p. 185.
The district court of Pennsylvania to be held in Philadelphia only,	ii. f. 2. p. 185.
The expence of procuring seals of the federal courts, to be paid out of the fund for defraying the expence of government	ii, p. 199.
The act to regulate processes in the courts of the United States, continued,	iii. f. 1. p. 11.
The session of the circuit court for the district of Virginia, to be held at Richmond only	iii. f. 3. p. 73.
The compensations of certain officers of the courts of the United States, of jurors and witnesses, and the marshals' allowances for contingent expences in holding courts, how to be certified and paid	iii. f. 1. p. 70.
The time of holding the circuit courts in the eastern circuit, and the places in certain districts altered	iii. f. 2. p. 72.
<i>See Marshal. Process. Trial. Mute. Punishment. Crimes. Laws of the States.</i>	

J U R Y.

In cases where the punishment is death, the trial shall be in the county in which the offence was committed; or, if that is greatly inconvenient, at least 12 petit jurors shall be summoned from thence	i. f. 29. p. 138.
Juries in all cases shall be designated by lot, or otherwise according to the practice in the respective states, so far as the laws thereof shall render such designation practicable by the courts, or marshals, of the United States,	i. f. 29. p. 139.
Jurors to be qualified, as for the highest courts of law in the respective states; and how to be returned	i. f. 29. p. 139.
How writs of <i>venire facias</i> shall be issued, served, and returned,	i. f. 29. p. 139.
In what cases there shall be a return of jurors, <i>de talibus circumstantibus</i> ; and how jurors shall be summoned, where the marshal is disqualified,	i. f. 29. p. 139.
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See *Crimes. Judiciary.*

ii. f. 17. p. 36.

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A certificate to be granted to the orphan daughter of Col. Laurens, for a sum equal to seven years halfpay of a lieutenant colonel - ii. f. 2. p. 191.

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Collectors, and other officers of the customs, to pay due regard to the inspection laws of the respective states - - - - - ii. f. 1. p. 17.

The laws of the several states, except where the constitution, treaties, or statutes of the United States otherwise provide, shall be regarded as rules of decision in trials at common law in the courts of the United States, in cases where they apply - - - - - i. f. 34. p. 144.

The forms of writs and executions, except their style, and modes of process, and rates of fees, except fees to judges in the circuit and district courts, in suits at common law, shall be the same in each state respectively, as are now used and allowed in the supreme courts of the same, i. f. 2. p. 146.

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The Secretary of the treasury to make contracts for building, rebuilding, repairing and supplying the light-houses, &c. in the several states, - - - - - i. f. 3. p. 80.

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The expense of light-houses, beacons, buoys and piers, to be defrayed by the United States, till the 1st July, 1792, although no previous cession be made by the respective states - - - - - iii. f. 3. p. 75.

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The impost act of the 4th July, 1789, limited in its continuance to the 1st June, 1796, - - - - - i. f. 6. p. 30.

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- No action or prosecution shall be maintained under the revenue law, unless commenced within three years after the penalty or forfeiture was incurred - - - i. f. 36. p. 71. ii. f. 66. p. 165.
- The act respecting the compensation of members and officers of Congress, limited in its continuance till the 4th of March, 1796, i. f. 7. p. 118.
- Indictments for treason and all other capital offences, wilful murder, or forgery, excepted, must be found within 3 years - - - ii. f. 32. p. 41.
- Prosecutions for offences not capital, and for fines and forfeitures under penal statutes, must be commenced within 2 years - - - ii. f. 32. p. 41.
- The limitations for prosecuting criminal offences, not to extend in the case of fugitives from justice - - - - - ii. f. 32. p. 41.
- The act of the 26th March, 1790, for mitigating or remitting forfeitures under the revenue law, limited to the end of the next session of Congress, - - - - - ii. f. 1. p. 49.
- Actions for encroachments on the exclusive right of authors to be commenced within 1 year, after the cause of action - - - ii. f. 2. p. 53.
- The act providing for the outfit and salaries of ministers in the service of the United States, limited to two years from the 1st of July, 1790, - - - - - ii. f. 2. p. 64.
- The act regulating trade with Indian tribes, limited to 2 years from 22d July, 1790, - - - - - ii. f. 7. p. 85.
- The act providing compensations for the officers of the judicial courts, jurors and witnesses, limited to the end of the next session after the 3d of May, 1791, - - - - - iii. f. 4. p. 73.
- Actions for any thing done under the excise law, to be brought within 3 months after the thing done - - - - - iii. f. 42. p. 52.
- See *Judiciary. Procefs. Customs.*

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- The President may authorize the Secretary of the Treasury to obtain upon loan a sum for carrying into effect the appropriations for the support of government in 1790 - - - - - ii. f. 7. p. 16.
- A loan proposed for liquidating the domestic debt of the United States, - - - - - ii. f. 3. p. 87.
- A loan proposed for liquidating the state debts, assumed by the United States, - - - - - ii. f. 13. p. 93.
- The President authorized to take on loan the sum appropriated for effecting a recognition of the treaty with Morocco - - - - - iii. f. 1. p. 63.
- Commissioners of loans to be allowed for stationary and clerk hire, - - - - - iii. f. 1, 2. p. 69, 70.
- The President authorized to obtain, upon loan, the sum appropriated for defraying the expence of the military establishment - - - iii. f. 16. p. 89.
- A loan made by the President in Holland, for the purpose of reducing the public debt, recognized and confirmed - - - - - iii. f. 1. p. 76.
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- Punishment for wounding with intent to maim and disfigure, - - - - - ii. f. 13. p. 34.

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- Agreements in writing to be executed between masters of ships and mariners, and penalty on masters neglecting to do so - ii. f. 1. p. 71.
 Penalty on mariners failing to perform their agreement, ii. f. 2. p. 72.
 If the mate and a majority of the crew discover that the vessel is unfit to proceed on her voyage, the same shall be enquired into, and what proceedings shall be had thereon - ii. f. 3. p. 72.
 Penalty for harbouring runaway seamen; and no debt for more than one dollar recoverable - ii. f. 4. p. 74.
 Penalty on a mariner's absenting himself from duty - ii. f. 5. p. 75.
 In what manner, and at what places, wages of mariners are payable; and how to be recovered - ii. f. 6. p. 76.
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- MARITIME and ADMIRALTY.** See *Judiciary. Process.*

M A R K L E Y.

- A certificate to be issued for the commutation of Charles Markley's half-pay, ii. f. 4. p. 189.

M A R S H A L S.

- A marshal to be appointed in each district for 4 years; removable at pleasure; his duty to attend the several courts of the United States, while sitting in his district; to execute all lawful precepts directed to him, under the authority of the United States; to command all necessary assistance in executing his office; to appoint deputies, removable by the district judge, or the judges of the circuit court; he and his deputies to give bond, with two sureties, in the sum of 20,000 dollars, and to take an oath of office, i. f. 27. p. 137.
 Where the marshal, or his deputy, is a party, process to be directed to some disinterested person - i. f. 28. p. 137, 138.
 In case of the marshal's death, his deputies to continue in office, unless otherwise removed, and execute the same till another marshal is appointed and sworn; their defaults in such case to be considered as a breach of the marshal's bond; and his representatives shall have like remedy against them as he could have had - i. f. 28. p. 138.
 Every marshal, or deputy, when removed, or when the marshal's term of appointment is expired, shall nevertheless execute all process then in hands - i. f. 28. p. 138.
 An ex-marshal held responsible for the delivery of all prisoners to his successor, and may retain them till such successor is appointed and qualified, i. f. 28. p. 138.

See *Judiciary. Enumeration. Process. Jury. Coals.*

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M A R Y L A N D.

- The assent of Congress given to an act of the state of Maryland, respecting the wardens of the port of Baltimore - - - iii. p. 8.
Maryland formed into districts, for the collection of duties and tonnage; ports of entry and delivery and officers established - ii. f. 1. p. 107.
See *Congress. Judiciary.*

MASTERS OF SHIPS. See *Mariners. Customs. Registry.*

M A S S A C H U S E T T S.

- Massachusetts formed into districts, for the collection of duties and tonnage; ports of entry and delivery and officers established - ii. f. 1. p. 100.
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M A T H E R S.

- A compensation granted to James Mathers for certain services, ii. f. 6. p. 16.

M ' C O R D.

- John M'Cord's claims adjusted and discharged - - - ii. f. 1. p. 65.

M ' T O C K S I N.

- A sum of money to be paid to Jehoiakim M'Tocksin for his services, as a guide and interpreter - - - ii. f. 6. p. 16.

M ' C O Y.

- A pension allowed to Ephraim M'Coy, - - - ii. f. 1. p. 187.

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- The establishment of the troops raised under the resolves of Congress, adapted to the constitution of the United States - i. f. 1, 2, 3, 4. p. 150, 151.

- One thousand two hundred and sixteen non-commissioned officers and privates, with a proper number of commissioned officers, to be raised for three years - - - ii. f. 1. p. 42.

- The age and size of the recruits; how to be formed into a regiment and battalion; the pay of the troops; deduction for clothing and stores; the annual clothing and the daily rations of the troops; to take the oath of allegiance, and be governed by the articles of war,

ii. f. 2, 3, 5, 9, 10, 12, 13. p. 43, 44, 45, 46.

- Inspectors of the troops, how to be appointed; their duty, and their pay, - - - ii. f. 4. p. 43.

- Adjutants and paymasters to have additional pay - - - ii. f. 6. p. 44.

- Officers to be allowed rations, or the value, and money in lieu of forage, - - - ii. f. 7, 8. p. 44, 45.

- Officers or soldiers wounded or disabled, how to be provided for, - - - ii. f. 11. p. 45.

- An additional regiment of infantry to be raised; to be organized, paid and regulated like the former regiment; and each recruit to have six dollars bounty - - - iii. f. 1, 2, 3, 4. p. 85.

- If necessary, a major-general, brigadier-general, a quartermaster and chaplain, may be appointed; the two first to continue as long as the public service requires; the major-general may appoint his aid-de-camp, and the

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- brigadier-general his brigade-major, from the captains or subalterns of the line - - - - - iii. f. 5. p. 85.
- The pay and allowances of the generals, quartermasters, chaplain, aid-de-camp, and brigade-major, if they should be appointed - - - - - iii. f. 6. p. 86.
- The President may engage a body of militia, to serve as cavalry, and offer such encouragement for their engaging in the service as he may think expedient, - - - - - iii. f. 7. p. 87.
- The President may employ levies, not exceeding 2000, with a suitable number of officers, in addition to, or in place of the militia, to be raised for a term not exceeding 6 months - - - - - iii. f. 8. p. 87.
- If it appears probable, that the regiments to be raised, will not be completed in time, the President may make a substitute for the deficiency, by raising a further number of levies, or calling such a body of militia into service as shall be equal thereto, - - - - - iii. f. 8. p. 87.
- The President empowered to organize the levies, and alone to appoint the officers, - - - - - iii. f. 9. p. 87.
- The militia and levies while in service shall be subject to the articles of war; be entitled to the like pay, rations and forage; and in case of wounds or disability, to the like compensations, as the troops of the United States, - - - - - iii. f. 10. p. 87.
- The levies shall have an allowance of clothing, proportionate to their time of service with the troops of the United States, and a bounty of 3 dollars, - - - - - iii. f. 11, 12. p. 88.
- The President may, if necessary, employ an additional number of surgeons* mates - - - - - iii. f. 13. p. 88.
- Two dollars allowed to recruiting officers for every recruit, - - - - - iii. f. 14. p. 88.
- The sum of 312,686. $\frac{20}{100}$ dols. appropriated for defraying the expense of the military establishment under this act; the amount of which the President is authorized to obtain upon loan - - - - - iii. f. 15, 16. p. 88, 89.
- See *Pensions. Militia.*

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- The President authorized to call out the militia of the respective states to aid in defending the frontiers of the United States; to be paid and subsisted as is provided in the case of the troops on the military establishment, - - - - - i. f. 5. p. 151.—ii. f. 16. p. 47.

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- A mint to be established; and the President authorized to engage artists, and to procure the necessary apparatus, for that purpose. - - - - - iii. p. 92.

MISPRISION OF FELONY. See *Felony.*

MISPRISION OF TREASON. See *Treason.*

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- Treaty with the Emperor of Morocco - - - - - ii. p. 370.
- Appropriation to effect a recognition of the treaty with the new Emperor, - - - - - iii. f. 1. p. 64.

See *Treaties. Appropriations.*

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M U T E.

Person indicted of treason, or other capital offence, standing mute, or challenging peremptorily more than the number of jurors allowed by law, the court shall notwithstanding proceed to trial and judgment, ii. f. 30. p. 41.
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The minor children of a person naturalized, shall also be considered as citizens - - - - - ii. f. 1. p. 12.
Children of citizens born abroad shall be considered as citizens, ii. f. 1. p. 12.
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No person proscribed by any state, shall be admitted as a citizen, except by act of such state - - - - - ii. f. 1. p. 12.

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NEW - HAMPSHIRE.

New-Hampshire formed into a district, for the collection of duties and tonnage; ports of entry and delivery and officers appointed, ii. f. 1. p. 99.
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New-Jersey formed into districts, for the collection of duties and tonnage; ports of entry and delivery and officers established - - - - - ii. f. 1. p. 105.
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A pension allowed to Jacob Newkerk - - - - - ii. f. 1. p. 188.

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New-York formed into districts, for the collection of duties and tonnage; ports of entry and delivery and officers established - - - - - ii. f. 1. p. 105.
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Districts, and ports of entry and delivery, established in North-Carolina: Wilmington, Newbern, Washington, and Edenton, made the sole ports of delivery, for vessels not registered or licenced, and for all vessels from the Cape of Good Hope, or beyond it - - - - - ii. f. 1. p. 4, 5.
The judicial act extended to North-Carolina - - - - - ii. f. 1, 2, 3, 4. p. 57.
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OATH OR AFFIRMATION.

The oath or affirmation required by the 6th article of the constitution, in what form it shall be administered - - - i. f. 1. p. 23.

By whom and in what time it shall be administered to the president, members and secretary of the Senate, and to the speaker, members and clerk of the House of Representatives of the United States - i. f. 2. p. 23.

Members of the several state legislatures, and all executive and judicial officers of the several states, shall, before they enter on the duties of their respective offices, take the oath or affirmation to support the Constitution of the United States, to be administered by the same persons who are qualified by the law of the state to administer the oath of office ; and a record or certificate thereof shall be made in the same manner as by the law of the state is directed with regard to the oath of office, i. f. 3. p. 24.

All officers under the United States shall, before they act in office, take the oath or affirmation to support the Constitution of the United States, to be administered by the person qualified to administer the oath of office ; under the same penalty in case of failure, as is imposed for not taking the oath of office - - - i. f. 4. p. 25.

The form of the oath of office to be taken by the Secretary of the Senate, and the Clerk of the House of Representatives - i. f. 5. p. 25.

Wherever an oath is required to be taken by the collection law, an affirmation may be taken - - - ii. f. 71. p. 169.

All the clerks and other officers in any of the departments of the United States, shall, before they enter on their respective duties, take the oath to support the Constitution, and the oath of office - iii. f. 2. p. 66.

OATH OF OFFICE. See *Oath*.

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The principals in office may apportion the salaries of their respective clerks, but not to exceed the rate of 500 dollars for every clerk employed, iii. f. 3. p. 67.

See *Oath of Office, &c.*

O H I O.

The territory of the United States south-west of the Ohio, its privileges, government, and the pay of its officers established - ii. f. 1, 2. p. 51.

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P.

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Penalties, forfeitures or seizures under the excise law, how to be appropriated, mitigated or restored - - - iii. f. 43, 44. p. 52, 53.

The continuance of the law, for the mitigation of forfeitures and penalties under the revenue laws extended - - - iii. f. 1. p. 74.

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Pennsylvania formed into a district for the collection of duties and tonnage; a port of entry and delivery, and officers, established,

ii. f. 1. p. 106.

See *Judiciary*.

P E N S I O N S.

Military pensions paid by the states, shall be paid by the United States from the 4th of March, 1789, for the space of one year, under the directions of the President - - - i. f. 1. p. 149.

Appropriation for the payment of pensions - - - ii. f. 1. p. 13.

Pensions allowed to certain disabled soldiers and seamen, to be paid from the 4th of March, 1790 - - - ii. f. 1. p. 68.

Pensioners to receive certificates from the Register of the Treasury, for liquidated sums equal to the pensions annually due to them respectively, which shall pass to their respective heirs, or legal representative,

ii. f. 3. p. 191.

Widows or orphans of officers and soldiers entitled to pensions, shall receive certificates on the same principles as the officers and soldiers have done - - - ii. f. 4. p. 192.

Appropriation for one years pensions to invalids - - - iii. f. 1. p. 9.

Pensions to be paid out of the treasury for one year from the 4th of March 1791 - - - iii. f. 2. p. 75.

See *the proper Names of Pensioners*.

P E R J U R Y.

Perjury and subornation, in cases arising under the authority of the United States, how punished - - - ii. f. 18, 20. p. 36, 37.

In prosecutions for perjury, or subornation of perjury, it is sufficient to set forth the substance of the offence - - - ii. f. 19. p. 37.

See *Customs. Excise*.

PERMITS. See *Customs*.

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P I C K E R I N G.

A sum of money granted to Timothy Pickering, for payment of certain public debts - - - - - ii. f. 1. p. 193.

PIERS. See *Light-Houses*.

P I L O T S.

All pilots to be regulated by the laws of the respective states, till Congress make further provision - - - - - i. f. 4. p. 80.

P O O L E.

A pension allowed to David Poole - - - - - ii. f. 1. p. 188.

PORTS. See *Customs. Registry*.

P O S T - O F F I C E.

A Postmaster-General to be appointed, with like powers and salary, and under the same regulations, as were provided by the resolutions and ordinances of the late Congress - - - - - i. f. 1. p. 114.

The Postmaster subject to the direction of the President in performing his duties, and in making contracts for carrying the mail - - - - - i. f. 1. p. 114.

The act for the temporary establishment of the post-office continued, - - - - - ii. f. 1. p. 172. - - - - - iii. f. 1. p. 73.

Letters from the treasurer, comptroller, auditor, and assistant-secretary to the Secretary of the Treasury, on public service, to be free of postage, - - - - - iii. f. 2. p. 74.

The Postmaster authorized to extend carrying the mail from Albany in the state of New-York, to Bennington in the state of Vermont, - - - - - iii. f. 3. p. 74.

PRESIDENT. See *Military Establishment. Militia. Loans. Public Debt*.

PRISONERS. See *Gaols. Marshal. Judiciary*.

PRISONS. See *Gaols. Marshal*.

P R O C E S S.

In what manner process from the courts of the United States shall bear teste, - - - - - i. f. 1. p. 146.

The forms of writs and executions, the modes of process and rates of fees, in suits at common law; in causes of equity; and of admiralty and maritime jurisdiction, regulated by reference to the practice of the states respectively and the civil law - - - - - i. f. 2. p. 146.

Obstructing the execution of process, how punished, - - - - - ii. f. 22. p. 38.

The limitation of the act regulating process extended - - - - - iii. f. 1. p. 11.
See *Judiciary. Trial. Records. Ambassador. Marshal*.

PROHIBITION. See *Judiciary*.

PROOF. See *Judiciary. Evidence*.

PROSECUTIONS. See *Judiciary. Limitations. Crimes*.

P R U S S I A.

Treaty with the king of Prussia - - - - - ii. p. 327.

P U B L I C A C C O U N T S.

The President empowered to supply vacancies in the board of commissioners, for settling the accounts between the United States and individual states - - - - - i. f. 1. p. 75.

The board authorized to appoint a chief clerk, and other clerks if requisite, - - - - - i. f. 2. p. 76.

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- An appeal allowed within 6 months from the auditor's decision, to the comptroller of the treasury - - - - - i. f. 5. p. 107.
- John White, a commissioner for settling accounts, considered in office till the 4th February, 1789, - - - - - i. p. 154.
- A board of three commissioners established to settle the accounts between the United States and the individual states; the commissioners to take an oath of office; their salaries and pay of their clerks; their duty to receive and examine all claims exhibited before the 1st of July, 1791; and the principles, powers and forms of proceeding therein prescribed, - - - - - ii. f. 1, 2, 3, 4, 5, 6, 9. p. 173, 174, 175.
- States having balances in their favor, shall be entitled to have them funded upon the same terms as the domestic debt; but the balances shall not be transferable - - - - - ii. f. 7. p. 175.
- The powers of the commissioners to continue till the 1st July, 1792, - - - - - ii. f. 9. p. 175.
- Clerks in the office of the commissioner of army accounts, how to be paid, - - - - - ii. p. 199.
- See Office.*

PUBLIC CREDITORS. *See Public Debt.*

PUBLIC DEBT.

- The surplus of the revenue arising from imposts and tonnage, after deducting 600,000 dollars annually for the expences of government, appropriated to pay the interest on the foreign debt, and such further loans as may be obtained for discharging that debt, on the arrearages of interest, - - - - - ii. f. 1. p. 86.
- The President authorized to borrow 12,000,000 dollars, to be applied to pay the arrears of interest and instalments of the foreign debt; and he may make contracts respecting the said debt, but not so as to preclude a repayment of sums borrowed, within 15 years - - - - - ii. f. 2. p. 87.
- A loan proposed to the amount of the domestic debt; subscription books to be continued open till the last day of September 1791; subscriptions, how payable, and in what certificates or bills of credit, and at what rate, - - - - - ii. f. 3. p. 87.
- Subscribers paying in the principal of the domestic debt shall receive—1st. A certificate for $\frac{2}{3}$ of their subscription bearing 6 per cent. interest, payable quarterly, and subject to redemption at a certain rate; and—2dly. A certificate for $33\frac{1}{3}$ dollars per 100 dollars paid in, to bear interest at 6 per cent. after the year 1800, payable quarterly, and subject to a certain rate of redemption - - - - - ii. f. 4. p. 88.
- Subscribers who shall pay in the interest of the domestic debt, computed to the last day of December 1790, or in instalments of interest, shall receive a certificate for the amount of their subscriptions, bearing 3 per cent. interest, payable quarterly, and subject to a certain rate of redemption, - - - - - i. f. 5. p. 89.
- A commissioner to be appointed in each state for superintending the subscriptions to the loan, his duty therein; the salaries of the commissioners respectively; they shall take an oath of office; and give security for their good behaviour - - - - - ii. f. 6. p. 80, 90, 91, 92, 93.
- Stock created by the loan, where transferable; by whom, and in what form - - - - - ii. f. 7. p. 90.

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- The interest on the stock payable quarterly, at the office in which the credit for the stock shall exist, when the interest becomes due; but interest for one quarter, not demanded before the expiration of a third quarter, shall afterwards be only demandable at the Treasury, ii. f. 8. p. 90.
- The rights of non-subscribing creditors not to be impaired; but they shall receive, during the year 1791, a rate per cent. on their demands equal to the interest payable to subscribing creditors, provided they exchange their old for new certificates - - - - - ii. f. 9, 10. p. 91.
- Another loan of 21,500,000 dollars proposed, payable in state certificates issued prior to the 1st January 1790 (except certain certificates issued by North-Carolina), and in the proportions allotted to the states respectively; but no certificates shall be subscribed, which can be ascertained to have issued for other purpose than the prosecution of the late war, or the defence of the United States - - - - - ii. f. 13. p. 93.
- If more is subscribed to the Assumption-Loan, in the district of any state, than the law allows, the subscribers shall abate proportionally; and every subscriber shall deposit his certificates with the commissioner, at the time of subscribing - - - - - ii. f. 14. p. 95.
- For $\frac{2}{3}$ of any sum subscribed, a subscriber to the Assumption-Loan shall receive—1st. A certificate equal to $\frac{2}{3}$ of the said $\frac{2}{3}$, bearing interest at 6 per cent. payable quarterly, and subject to a certain rate of redemption;—2dly. A certificate equal to the proportion of $33\frac{1}{3}$ dollars upon 100 dollars, of the $\frac{2}{3}$ of the sum subscribed, to bear interest at 6 per cent. after the year 1800, payable quarterly, and subject to a certain rate of redemption; and—3dly. A certificate for the remaining $\frac{1}{3}$ of the sum subscribed, bearing interest at 3 per cent. payable quarterly, and subject to a certain rate of redemption - - - - - ii. f. 15. p. 95.
- The interest on the certificates subscribed to the Assumption-Loan, shall be computed to the last of the year 1791; and the interest upon the stock of the said loan, shall commence on the 1st January 1792; and shall be paid quarterly, at the same time, and in like manner, as the interest stock created by the loan in the domestic debt, ii. f. 16. p. 96.
- If the sum allowed to be subscribed, in the certificates of any state, is not subscribed, the state shall receive an interest per cent. per annum upon the deficiency, equal to what would have accrued on it, if it had been subscribed, in trust for the non-subscribing creditors of such state; how to be paid, and how long to continue - - - - - ii. f. 17. p. 96.
- Where state certificates have been issued, in lieu of continental certificates, the interest shall be suspended till it appears that the certificates so issued have been redeemed, or till those not redeemed shall be surrendered to the United States - - - - - ii. f. 18. p. 97.
- The state-debts subscribed to the Assumption-Loan, or payments made to the states, shall be a charge against the states respectively, in account with the United States - - - - - ii. f. 19. p. 97.
- Further appropriations made for payment of the interest on the stock created by the several loans proposed; and the faith of the United States pledged to provide any additional and permanent funds that may be requisite, ii. f. 20, 21. p. 97, 98.
- The proceeds of the sales of lands in the Western Territory, appropri-

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- ated as a sinking fund to discharge the debts of the United States, ii. f. 22. p. 98.
- The duties on imposts increased, and to continue till the debts, and purposes for which they are appropriated, are discharged, ii. f. 1, 2, 3, 4, 5, 6. p. 176.
- The surplus product of the revenue arising from the impost and tonnage duties to the last day of December 1790, shall be employed to purchase the debt of the United States, at market price; by whom the purchases shall be made; under what regulations; how to be accounted for; and at what times reports shall be made on the subject to Congress - - - - - ii. f. . p. 195.
- The President authorized to borrow 2,000,000 dollars at 5 per cent. for the purpose of making further purchases of the public debt; and a fund to be created out of the interest of the debt purchased, to repay the loan, ii. f. 4. p. 196.
- A loan for the purpose of purchasing public debt, made by the President in Holland, and the terms thereof recognized and confirmed, iii. f. 1. p. 76.

P U N I S H M E N T.

- The punishment of death, how to be inflicted - ii. f. 33. p. 42.
- Benefit of clergy not to be allowed where the punishment is death, ii. f. 31. p. 41.
- In cases punishable with death, the trial shall be had in the county where the offence was committed; or, if greatly inconvenient, 12 petit jurors at least shall be summoned from thence - - - i. f. 29. p. 38.
- Bail to be admitted in all criminal cases, except where the punishment is death; how it is to be admitted in those cases, i. f. 33. p. 143, 144.
- See *Convicts. Crimes. Trial. Judiciary.*

Q.

- QUALIFICATION. See *Oath. Oath of Office.*
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R.

RECEIVERS OF STOLEN GOODS. See *Larceny.*

RECORDING OF VESSELS. See *Registry of Vessels.*

R E C O R D S.

- Stealing or falsifying records, or acknowledging a recognizance or judgment for another in any court of the United States, without his consent, how punished - - - - - ii. f. 15. p. 35.
- Legislative acts, records and judicial proceedings in each state, how to be authenticated so as to have effect in every state - - - ii. f. 1. p. 48.

REGISTER. See *Treasury.*

R E S C U E.

- Rescue of a person convicted of a capital offence, how punished, ii. f. 23. p. 38.
- Rescue of a person committed on charge of a capital offence, how punished, ii. f. 23. p. 38.
- See *Convicts.*

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REGISTRY OF VESSELS.

- What vessels may be registered, so as to be deemed vessels of the United States - - - - - i. f. 1. p. 81.
- The mode of making a register, and obtaining a certificate prescribed, i. f. 2. p. 82, 83.
- The names and ports of registered vessels to be painted on their sterns, i. f. 4. p. 84.
- A citizen resident abroad, unless he likewise carries on business here as agent or partner, shall not be entitled to be registered, i. f. 5. p. 84.
- No registry shall be made or certificate given, till an oath is taken, that the vessel, the owners or master, are within the description of the law, i. f. 6. p. 84.
- Certificates of registry may be granted in one district where the owners of the vessel reside in another - - - - - i. f. 7. p. 85.
- The surveyor shall measure vessels previous to their being registered, i. f. 8. p. 86.
- Security to be given that the certificate of registry shall not be sold, lent or disposed of, and that in case of the vessel's being lost or transferred to a foreigner, it shall be delivered up to the collector, to be by him transmitted to the Secretary of the Treasury - i. f. 9. p. 86.
- Upon every change of ownership, vessels shall be registered a-new, and the certificate shall be recited in every instrument of transfer, i. f. 10, 11. p. 88.
- In case of a change of the master of a vessel, the same shall be endorsed by the collector on the certificate of registry - - - - - i. f. 12. p. 88.
- If a certificate is lost, upon oath thereof the collector shall renew the registry - - - - - i. f. 13. p. 89.
- Vessels shall be registered a-new, after being altered in form or burthen, i. f. 14. p. 90.
- The mode of numbering certificates of registry prescribed, i. f. 15. p. 90.
- All vessels built in the United States, after the 15th of August, 1789, and owned by foreigners, shall be recorded, upon the oath of the builder, and a certificate thereof given by the collector - i. f. 16, 17. p. 90, 91.
- The surveyors and the master of every recorded vessel, shall give a description of it to the collector - - - - - i. f. 18. p. 92.
- On the change of the name or master of a recorded vessel, the certificate of record to be endorsed accordingly - - - - - i. f. 19. p. 92.
- The master of a recorded vessel shall produce his certificate to the collector, at the time of making entry - - - - - i. f. 20. p. 93.
- Penalties and forfeitures under the registering act to be sued for and disposed of according to the provisions of the impost law - - - - - i. f. 21. p. 93.
- Vessels of 20 tons and upwards, built within the United States, and owned by citizens; or not built within the United States, and on the 16th of May, 1789, wholly owned by citizens, and continuing so, but not registered, if destined from district to district, or to the bank or whale fisheries, shall be enrolled with the collector, and have their names painted on their sterns, in order to enjoy the privilege of vessels belonging to the United States; and the collector shall grant a certificate of the enrollment, and transmit a copy of it to the Secretary of the Treasury, i. f. 22. p. 93, 94.

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- On every change of ownership there shall be a new enrollment of vessels of the preceding description - - - i. f. 22. p. 94.
- Vessels of less than 20 tons, and not less than 5, employed between any districts of the United States, shall paint their names on their sterns, and annually procure a license to exempt them from clearing and entering for one year ensuing - - - i. f. 22. p. 95.
- The master and owner of every licensed coaster, shall give bond not to employ her in an illicit trade; and swear that he has not done so, before he obtains a new license - - - i. f. 22. p. 95.
- Vessels of 20 tons or upwards, employed between districts, and all vessels employed in the bank or whale fisheries, having a certificate of registry or enrollment, shall have a license so to trade for one year; after the tonnage duty is paid, and security given not to carry on any illicit commerce. i. f. 23. p. 95.
- Vessels of 20 tons or upwards, not having a registry or enrollment, and a license, found trading between districts, or employed in the bank or whale fisheries, shall be subject to like tonnage and fees as foreign vessels, i. f. 23. p. 95.
- Masters of vessels bound to any foreign port, shall deliver manifests of their cargoes upon oath, and thereupon be enabled to a clearance; penalty on departing without such clearance - - - i. f. 24. p. 96.
- Masters of licensed vessels of 20 tons or upwards, having on board goods of foreign growth or manufacture, of 200 dollars value, or ardent spirits exceeding 400 gallons, and bound from one district to another, shall deliver upon oath duplicate manifests of the whole cargo; form of the manifests; one of them to be returned with a certificate and permit to depart - - - i. f. 25. p. 96.
- Goods transported from Philadelphia to Baltimore, and vice versa, across the state of Delaware, accompanied with a certified manifest, need no intermediate entry in the district of Delaware - - - i. f. 25. p. 97.
- Licensed vessels of 20 tons or upwards, with goods of the growth or manufacture of the United States only, bound from a district in one state to a district in another, shall deliver upon oath duplicate manifests of their whole cargoes; form of the manifest; one of them to be returned, and a permit of departure - - - i. f. 26. p. 98.
- Masters of vessels of 20 tons or upwards, licensed for the coasting trade, not having on board rum or other spirits exceeding 400 gallons, and arriving from one district to another in the same state, or from a district in one state to a district in an adjoining state, with articles of the growth or manufacture of the United States only, shall, within 24 hours after arrival, and before any part of the cargo is landed, deliver a manifest, upon oath, to the collector or surveyor; and thereupon shall receive a permit to unlade - - - i. f. 27. p. 98.
- In all other cases, masters of vessels of 20 tons burthen and upwards, licensed for the coasting trade, shall, within 24 hours, and before unloading, deliver to the collector or surveyor, at the port of arrival, a manifest of the cargo authenticated before and received from the collector or surveyor of the port where it was taken in, with the permit of departure; whereupon a permit shall be granted to unload - - - i. f. 28. p. 99.
- Masters of vessels of 20 tons or upwards, licensed for the coasting trade,

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with goods on board of the value of 200 dollars or upwards, not to depart for another district without a manifest and permit, under penalty of 400 dollars for every offence; and forfeiture of the goods,

i. f. 29. p. 99.

The above regulation not to subject masters or owners of vessels licensed to trade, having on board articles of the growth or manufacture of the United States only, rum and other ardent spirits exceeding 400 gallons excepted, and bound from district to district in the same state, or from a district in one state to a district in the next adjoining state, to any penalty for having departed from the port of landing with such permit and manifest, or to subject the goods to forfeiture - i. f. 29. p. 100.

If vessels licensed to trade, or fish, shall be destined to any foreign port within the year, the license, under penalty of 100 dollars, shall be delivered to the collector at the port of departure; such collector to transmit it to the collector of the port where it was granted, who shall cancel it,

i. f. 30. p. 100.

Fees allowed under the Registering-Act; and how to be distributed,

i. f. 31. p. 101.

Wherever the collector is to grant any licence, certificate, permit, or other document, the naval-officer, if there is one at the port, shall sign the same,

i. f. 32. p. 102.

Where forfeiture of any vessels, or goods, is incurred, the collector, or other proper officer, shall insert, in the advertisement of sale, the name of the owner, and the place of residence of the person to whom such vessels or goods belonged, or were consigned, at the time of seizure, i. f. 33. p. 102.

Collectors, other officers, and surveyors, offending against the provisions of the act, shall, upon conviction, forfeit 1000 dollars, and be rendered incapable of serving in any office of profit or trust under the United States - - - - - i. f. 34. p. 102.

Persons wilfully neglecting or refusing to perform the duties required by the act, if not subject to the above penalty and disqualification, shall forfeit 500 dollars for the first offence; and for the second offence shall forfeit the like sum, and be disqualified for holding any office of trust or profit under the United States - - - - - i. f. 34. p. 102.

If any certificate of registry, record, or enrollment, shall be fraudulently used for any ship or vessel, not entitled to the same, the ship or vessel, with her tackle, apparel and furniture, shall be forfeited to the United States,

i. f. 35. p. 103.

False swearing in cases under the Registry-Act, to be punished in like manner as wilful and corrupt perjury - - - - - i. f. 36. p. 103.

Penalty of 500 dollars on any person who shall forge, counterfeit, erase, alter or falsify any certificate, register, licence, permit, or other document mentioned in the act, or to be granted by any officer of the customs - - - - - i. f. 36. p. 103.

No allowance shall be made for dried or pickled fish, or for any salted provisions exported prior to the last day of May 1790, i. f. 37. p. 104.

See *Customs. Excise.*

R H O D E - I S L A N D.

Goods of foreign growth and manufacture imported from Rhode-Island,

I N D E X.

- subject to the duties, seizures and forfeitures of the impost law,
i. f. 39. p. 74. ii. f. 7. p. 6.
The revenue, collection and registering laws extended to Rhode-Island,
ii. f. 1, 2, 3, 4. p. 59, 60.
The judicial law extended - - - ii. f. 1, 2, 3, 4. p. 62.
The enumeration law extended - - - ii. f. 1, 2. p. 62.
Rhode-Island and Providence Plantations formed into districts for the col-
lection of duties and tonnage; ports of entry and delivery and officers
established, - - - - - ii. f. 1. p. 103.
See *Customs. Judiciary.*

R I X - D O L L A R.

- So much of the collection law as rates the rix-dollar of Denmark at 100 cents,
repealed; as well in regard to past as future duties - iii. f. 1. p. 67.

RUBLE. See *Customs.*

R Y A N.

- A pension allowed to Jeremiah Ryan, - - - ii. f. 1. p. 187.

S.

SAC-NATION. See *Indians.*

SALARIES. See *Compensations.*

SAFE-CONDUCT. See *Passport.*

SCIRE FACIAS. See *Judiciary.*

S C H E L L.

- A pension allowed to George Schell - - - ii. f. 1. p. 187.

S C O T T.

- A pension allowed to Edward Scott - - - ii. f. 1. p. 187.

SEALS. See *Judiciary. State.*

SEAMEN. See *Mariners.*

SEAT OF GOVERNMENT. See *Government.*

SECRETARY OF FOREIGN AFFAIRS. See *Foreign Affairs.*

SECRETARY OF STATE. See *State. Foreign Affairs. Virginia.*

SECRETARY OF THE SENATE. See *Oath.*

SECRETARY OF THE TREASURY. See *Treasury Department.*

SECRETARY AT WAR. See *War Department.*

SHAWANOES. See *Indians.*

SHIPS. See *Customs. Excise. Registry.*

S H U T L I F F.

- A pension allowed to Joseph Shutliff - - - ii. f. 1. p. 187.

SOLDIERS. See *Military Establishment. Pensions. North-Carolina. Virginia.*

S O U T H - C A R O L I N A.

- South-Carolina formed into districts for the collection of duties and tonnage;
ports of entry and delivery and officers established - ii. f. 1. p. 113.

See *Customs. Excise. Judiciary.*

SPIRITS. See *Customs. Excise.*

S T A T E.

- The department of Foreign Affairs changed into the department of State,
and the principal officer called Secretary of State - i. f. 1. p. 110.

I N D E X.

The additional duties imposed on the Secretary of State, in receiving, publishing and recording laws; in keeping and affixing the seal of the United States to commissions; in making and affixing a seal of office; to authenticate copies of records, and in taking custody of, and distributing the papers of the late Secretary of Congress - i. f. 2, 3, 4. p. 110, 111.

Fees of office to be paid to the Secretary of State for the use of the United States - - - - - i. f. 6. p. 112.

The Secretary to have the custody and charge of the seal of the United States, and records and papers of the late Secretary of Congress, i. f. 7. p. 112.

The Secretary to procure the statutes of the several states - i. p. 154.

To appoint an additional clerk in his office, with the same salary as his chief clerk - - - - - ii. f. 1. p. 58.

See *Foreign Affairs. Acts. Ambassador. Virginia.*

STATES-GENERAL. See *United Netherlands.*

STEALING. See *Larceny. Records.*

S T E E L.

A pension allowed to David Steel - - - - - ii. f. 1. p. 187.

S T E V E N S.

Pay allowed to John Stevens as a captain in the line - - - - - ii. f. 4. p. 189.

S T E U B E N.

An annuity of 2,500 dollars granted to Frederick William De Steuben, as a full compensation for his eminent services during the late war, ii. f. 1. p. 56.

S T E W A R T A N D D A V I D S O N.

Duties on salt destroyed by a flood, remitted to John Stewart and John Davidson - - - - - ii. f. 1. p. 172.

STILLS. See *Excise.*

S T I R L I N G.

The Register of the Treasury to grant a certificate to the widow of Lord Stirling, for a sum equal to an annuity for 7 years half-pay of a major-general - - - - - ii. f. 1. p. 190.

STOLEN GOODS. See *Larceny.*

SUBORNATION OF PERJURY. See *Perjury.*

SUPERVISORS. See *Customs. Excise.*

SUPREME COURT. See *Judiciary.*

S U R V E Y S.

The survey of the boundary line between the United States and the states of New-York and Massachusetts; and of the land lying west of the meridian line, between Lake Erie and Pennsylvania, to be made and returned to the Secretary of the Treasury - - - - - i. p. 153.

All surveys of lands in the Western Territory, made by the late geographer, to be returned to the Secretary of the Treasury, in order to complete the contracts for part of such lands with the board of treasury, ii. p. 200.
See *Western Territory.*

SURVEYORS. See *Customs. Excise. Registry of Vessels.*

S W E D E N.

Treaty of amity and commerce with Sweden - - - - - ii. p. 284.

I N D E X.

T.

TEAS. See *Customs*.

TEST. See *Oath*.

T O N N A G E.

An act imposing duties on tonnage. [But this act is repealed, and supplied by another, of which an index is given in detail.] i. f. 1, 2, 3, 4. p. 31.

On all ships entered in the United States from any foreign port, there shall be the following rates of tonnage:—1st. On vessels of the United States, 6 cents per ton.—2d. On ships built within the United States after the 20th July, 1789, but belonging wholly or in part to foreigners, 30 cents per ton.—3d. On other ships or vessels, 50 cents per ton, ii. f. 1. p. 79.

The tonnage of 6 cents, on vessels of the United States, to be paid on ships entered in a district in one state from a district in another state, other than an adjoining state on the sea-coast, or on a navigable river, having on board goods taken in one state to be delivered in another; but vessels licensed for the coasting trade, or the fisheries, shall not pay the tonnage more than once a year - - - ii. f. 2. p. 79.

Foreign vessels entered in one district from another district, having goods on board taken in one district to be delivered in another, shall pay at the rate of 50 cents per ton - - - - - ii. f. 3. p. 80.

Payment of foreign tonnage on certain vessels, not having a license for the coasting trade or fisheries of the United States, to be refunded, and not to be demanded in future - - - - - ii. f. 4. p. 80.

Repeal of the former tonnage law - - - - - ii. f. 5. p. 81.

Duties on tonnage to be paid within 10 days after report, to the collector, before clearance; and the register of the vessel shall be left with the collector till such clearance; penalty on leaving or attempting to leave the United States, without paying the tonnage duties - ii. f. 42. p. 150.

The mode of ascertaining the tonnage of vessels prescribed, ii. f. 43. p. 151.
See *Registry. Customs. Excise*.

T R E A S O N.

Treason against the United States, and its punishment, defined, ii. f. 1. p. 30.

Misprison of treason, and its punishment, defined - - - ii. f. 2. p. 30.

Persons accused of treason, shall have a copy of the indictment, and lists of the jurors and witnesses; and may also have counsel assigned,

See *Judiciary. Trial. Punishment. Crimes*. ii. f. 30. p. 41.

T R I A L.

Persons accused of treason, shall, three days previously, have a copy of the indictment, and lists of the jurors and witnesses to be produced at the trial - - - - - ii. f. 29. p. 40.

In other capital offences, the defendant shall have a copy of the indictment, and a list of the jury, two days before the trial - - - ii. f. 29. p. 40.

All defendants in criminal cases, may employ counsel; may have them assigned by the court; may defend himself by witnesses; and may have process to compel their attendance - - - - - ii. f. 29. p. 40.

Where the punishment is death, the trial shall be in the county in which the offence was committed; or, if greatly inconvenient, at least twelve petit

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jurors shall be summoned from thence - - - i. f. 29. p. 138*
 The laws of the several states shall be regarded as rules of decision in trials
 at common law in the courts of the United States, in cases where they apply,
 i. f. 34. p. 144.
 See *Judiciary. Jury. Mute. Excise. Piracy. Punishment.*

TREASURER. See *Treasury Department.*

T R E A S U R Y D E P A R T M E N T.

The Treasury Department instituted; to be composed of a Secretary of
 the Treasury, a Comptroller, an Auditor, a Treasurer, a Register, and
 an Assistant-Secretary; the last to be appointed by the Secretary,

- i. f. 1. p. 105.
- The duties of the Secretary defined - - - i. f. 2. p. 105.
- The duties of the Comptroller defined - - - i. f. 3. p. 105.
- The duties of the Treasurer defined - - - i. f. 4. p. 06.
- The duties of the Auditor defined - - - i. f. 5. p. 107.
- The duty of the Register defined - - - i. f. 6. p. 107.
- The Assistant-Secretary shall have the custody of the records, in case of a
 vacancy in the office of Secretary - - - i. f. 7. p. 107.
- No officer in the Treasury Department shall directly or indirectly be concerned
 in trade, be owner of a sea vessel, be a purchaser of public lands,
 or other public property, be concerned in selling public securities, or take
 any other emolument than the law allows for official business; under the
 penalty of forfeiting 3000 dollars, removal from office, and perpetual
 disqualification - - - i. f. 8. p. 108.
- The Secretary of the Treasury to receive and perfect the returns of surveys
 of lands in the Western Territory, so as to complete the contracts made
 with the late Board of Treasury for the sales of certain parts thereof,
 ii. p. 200.
- The prohibition against trading extended to all the clerks of the Treasury
 Department, under a penalty of 500 dolls. for transgressing, iii. f. 1. p. 66.
 See *Customs. Compensations. Excise. Public Debt. Public Accounts.*

T R E A T I E S.

- All treaties made by the United States, to be annexed to the code of laws by
 the Secretary of State - - - ii. p. 198.
- Treaty of alliance with France - - - ii. p. 201.
- Treaty of amity and commerce with France - - - ii. p. 209.
- Treaty of amity and commerce with the States General of the United Ne-
 therlands - - - ii. p. 241.
- Convention with the States General of the United Netherlands, concerning
 vessels re-captured - - - ii. p. 274.
- Provisional articles between the United States and his Britannic majesty,
 ii. p. 279.
- Treaty of amity and commerce with the king of Sweden - - - ii. p. 284.
- Separate articles of the treaty with Sweden - - - ii. p. 310.
- Definitive treaty of peace with Great-Britain - - - ii. p. 315.
- Treaty with the Six Nations, concluded at Fort Stanwix - - - ii. p. 321.
- Treaty with the Wyandot, Delaware, Chippawa and Ottawa nations, con-
 cluded at Fort McIntosh - - - ii. p. 323.
- Treaty of amity and commerce with Prussia - - - ii. p. 327.

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- Articles of a treaty with the Cherokees, concluded at Hopewell, ii. p. 353.
Articles of a treaty with the Choctaw nation, concluded at Hopewell,
ii. p. 359.
Articles of a treaty with the Chickasaws, concluded at Hopewell, ii. p. 363.
Articles of a treaty with the Shawanoe nation, concluded at the mouth of
the great Miami - - - - - ii. p. 367.
Treaty of peace and friendship with the emperor of Morocco, ii. p. 370.
Convention with the king of France, respecting consuls and vice-consuls,
ii. p. 379.
Treaty of peace and friendship with the Creek nation - - - - - ii. p. 395.
A sum appropriated to effect a recognition of a treaty with Morocco,
iii. f. 1. p. 63.
Articles of agreement and confederation with the Delaware nation, ii. p. 401.
Articles of a treaty with the Wyandot, Delaware, Ottawa, Chippawa, Pat-
tawatima, and Sac nations - - - - - ii. p. 407.

T W I N I N G.

- Nathaniel Twining relieved from a penalty incurred for a failure in trans-
porting the Mail agreeably to his contract - - - - - ii. f. 1. p. 66.
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U.

UNITED NETHERLANDS.

- Treaty of amity and commerce with the States General of the United Ne-
therlands - - - - - ii. p. 241.
Convention with the States General, concerning vessels re-captured,
ii. p. 274.

UNITED STATES. See *Congress. Government. Amendments.*

V.

VENIRE FACIAS. See *Judiciary. Jury. Marshal. Process.*

V E R M O N T.

- The state of Vermont, on the 4th March, 1791, admitted a member of the
Union - - - - - iii. f. 1. p. 11.
Vermont entitled to choose two Representatives - - - - - iii. f. 1. p. 12.
The laws of the United States extended to Vermont; the judicial depart-
ment regulated; the enumeration law put in operation; and a port of en-
try and delivery established under the collection law,
iii. f. 1, 2, 3, 4, 5, 6, 7, 8. p. 25, 26.
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VESSELS. See *Customs. Excise. Registry of Vessels.*

VINCENNES. See *Western Territory.*

V I R G I N I A.

- Virginia formed into districts for the collection of duties and tonnage; ports
of entry and delivery and officers established - - - - - ii. f. 1. p. 109.
The act of Congress of the 17th July, 1788, relative to the surveys and lo-
cations of the Virginia troops on continental establishment, on certain
lands north-west of the Ohio, repealed - - - - - ii. f. 1. p. 181.
The Secretary at War to make return of those persons in the Virginia line,
who are entitled to bounty lands, and the aggregate amount in acres
due to that line - - - - - ii. f. 2. p. 182.

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- The agents for the Virginia line to locate certain lands for their constituents; to enter in a book the boundaries of the several locations, with the names of the persons entitled annexed, and to deposit such book with the Secretary of State - - - ii. f. 3, 4. p. 182.
- Patents to be granted, clear of all charges, by the President, to the persons entitled to such locations respectively; the forms of the patent; how to be certified, countersigned and recorded - ii. f. 5. p. 183.
- The Secretary of State to transmit the patents to the executive of Virginia, to be delivered to the respective grantees, or their representatives, ii. f. 6. p. 183.
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- The Governor of the territory north-west of the Ohio, to make his communications to the President of the United States, who shall appoint (with the consent of the Senate) and commission all the officers of that government, and revoke such commissions - - - i. f. 1. p. 78.
- In case of a vacancy in the Governor's office, the Secretary shall perform the duties - - - - - i. f. 2. p. 78.
- The proceeds of the sales of lands in the Western Territory, appropriated as a sinking fund, to discharge the public debts - ii. f. 22. p. 92.
- Survey of lands in the Western Territory made under the direction of the late geographer, agreeably to contracts with the late board of treasury, to be returned to and perfected by the Secretary of the Treasury, so as to complete the contracts - - - - - ii. p. 200.
- The Governor of the territory north-west of the Ohio directed to cause certain tracts of land to be laid out for persons who, in 1788, were heads of families at Vincennes or in the Illinois country, and who have since removed from one of those places to the other - - - iii. f. 8. p. 84.
- Such heads of families as have removed without the limits of the territory, are still entitled to the lands granted by Congress on the 29th August, 1788; but subject to forfeiture if they or their heirs do not occupy the same within 5 years - - - - - ii. f. 2. p. 82.

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- Certain lands formerly in possession of the Piankeshaw Indians, now part of the village of Vincennes, to be granted to the occupants, iii. f. 3. p. 82.**
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